GARLAND
INTERNAL AUDIT

Code Compliance

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Report 201804

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Contents

Executive Summary

Code Compliance has a large responsibility and plays a critical role in the City of Garland. According to the North Central Texas Council of Governments (NCTCOG), 2005 Code Enforcement Benchmarking Analysis, Code enforcement:

- Maintains and strengthens residential property values
- Influences the quality of life factor in economic development decisions
- Supports neighborhood revitalization that leads to infill housing and income diversity

A community's appearance gives off impressions about the quality of life as surely as the community's streets and crime rate. The appearance of public and private spaces speaks volumes on how a community sees itself, its level of civic pride, and its commitment to protecting the economic vitality of its assets. Code enforcement is a direct assault on the visual problems that detract from those impressions.[4]

The City of Garland is at a pivotal point. The aging of the housing and commercial infrastructure, the aging of the population, and the lower median income are all contributing factors in which the City, residents, and businesses need to work together. Understanding these underlying factors and encouraging code compliance will most likely lead the community in working together to increase neighborhood quality and economic growth.

Code violations impact community appearance, and the longer they are sustained, the more they tend to compound the impact. The goal for the City should be to encourage voluntary compliance in the shortest amount of time.

The following areas for improvement were identified during this audit:

Neighborhood and Commercial

A. With the goal to promote voluntary compliance in a timely manner, reevaluation of enforcement process flows, procedures, and operating policies should be performed to promote operational efficiencies and effectiveness. These may include, but not limited to:

- Improving enforcement efforts to be more timely and consistent,
- Strengthening tracking mechanisms,
- Enhancing educational/reporting methods and materials, and
- Identifying resources to provide assistance to the elderly, disabled, and underprivileged such as grants, additional volunteer resources, etc.

B. A property conditions survey should be considered to establish a benchmark for property conditions throughout the City. This survey could be used to identify areas that require more frequent inspections to better direct and align resources.

C. The court process should be improved to promote synergy between Code, Court, and the citizens. For those violations that require citations, a collaborative effort should be made with the residents in order to help them understand the significance and obtain compliance in a timely manner.

Multi-family (MF)

A. Multi-family code enforcement efforts need improvement in the following areas:

- Inspection tracking, reporting, and record keeping
- Reevaluation of process flows and procedures, including reinspection timeliness

B. Enforcement tools should be reevaluated and appropriately utilized to obtain compliance.

City Abatements and Third-Party Contractor Payments
This audit also revealed that the City made payments to its third-party contractors for services rendered in a timely manner. Internal Audit's (IA) limited review of the City's revenue recovery efforts indicated that the contract abatements are either being reimbursed by the customer or a lien is being placed on the property. As of May 21, 2018, the receivables balance for property liens due to abatement fees was $1.37 million.

Management was also provided with additional opportunities for improvement to enhance internal controls. These were not considered significant to the objectives of the audit, but warrant the attention of Management. Consequently, they do not appear in this report.

IA would like to acknowledge the assistance that Code Compliance extended to us during this audit.

Authorization

This audit was conducted under the authority of Article IV, Section 8 of the Garland City Charter and in accordance with the Annual Audit Plan approved by the Garland City Council.

Objective(s)

The objectives of this audit are to:

1. Evaluate whether Code uses appropriate processes and techniques to maximize the efficiency and effectiveness of code enforcement efforts and tools available.

2. Evaluate the effectiveness of the abatement process to ensure payments to third party contractors are being made for services rendered, and contract abatements are being reimbursed by customers.

Scope and Methodology

IA conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The scope of the audit is from October 1, 2016 to December 31, 2017. The Code Compliance Department is divided into three segments; they are Neighborhood Standards, Housing Standards, and the Business Operations team. Housing Standards is responsible for the inspections as well as the licensing/permitting of multi-family units, lodging (hotels/motels), and single-family rental units. The scope of our audit excluded all processes relating to the inspections of single-family rental units and lodging establishments.

To adequately address the audit objectives and to describe the scope of our work on internal controls, IA:

- Obtained and reviewed City Ordinances and Directives pertaining to Code Compliance. (Obj. A)
- Conducted walkthroughs and determined efficiency and effectiveness of operational processes. (Obj. A)
- Obtained and reviewed documentation surrounding inspection scheduling, inspection reports issued, notice of violations (NOVs) issued, training certificates, complaints received, work orders, abatement invoices, vendor contracts, periodic reports, citation log books, citation affidavits, and fee payments. (Obj. A)
- Reviewed and validated Code Compliance dashboard reporting for accuracy. (Obj. A)
- Examined the process and evaluated the timeliness for issuing NOVs, citations, work orders, and inspection reports (Housing Standards). (Obj. A)
- Analyzed court system information for citation disposition trends. (Obj. A)
- Performed trending analysis of inspectors based on types of violations and citations issued. (Obj. A)
- Examined controls surrounding citation inventory management. (Obj. A)
- Examined and evaluated the collectability of city abatement reimbursements and accounts receivable of outstanding liens due to city abatement non-payments. (Obj. B)
- Evaluated the appropriateness and sufficiency of various forms and templates used by Code Compliance. (Obj. A)
- Examined the timeliness and frequency of Code inspections based on management's expectations. (Obj. A)
- Reviewed work orders and billing for completeness, accuracy, and authorization as well as compared amounts charged with what was on the vendor's contract. (Obj. A & B)

- Physically inspected neighborhoods and documented any violations identified, then reviewed CRM to determine if any enforcement actions were taken. (Obj. A)
- Evaluated whether appropriate protocols were taken upon identification of a code violation. (Obj. A)
- Evaluated the consistency and justification for granting compliance deadline extensions. (Obj. A)
- Evaluated the timeliness and the handling process for complaints received. (Obj. A)
- Evaluated whether multi-family dwellings were brought into compliance within an effective time frame by determining the amount of time from initial inspection to compliance. (Obj. A)
- Evaluated payment information regarding multi-family dwellings to determine if there were reinspection fees, surcharge fees, and/or license fees that should have been charged, have not been paid, or are late being paid. (Obj. A)
- Reviewed the statistics and data for some of Code Compliance's outreach programs to evaluate their effectiveness in providing assistance. (Obj. A)
- Conducted surveys for benchmarking purposes. (Obj. A)

To assess the reliability of information obtained through CRM, IA compared data such as citations generated from the Court system and documentation attached in OnBase; complaints with reports from Accela; inspections with manual documentation; and reviewed other source documents with reports and compared information stored in multiple places in the system. All information pertaining to violations has an approximate error rate of +/- 1.84% due to reconciliation differences among CRM reports used. All information pertaining to citations has an approximate error rate of +/- 4.7% due to reconciliation differences between Court and CRM reports used. MF inspections reporting was missing some of its necessary reinspection data. As a result of our testing, we determined that the data provided and available was sufficiently reliable for the purposes of this report.

Based on the audit work performed, any deficiencies in internal control that are significant within the context of the audit objectives are stated in the Opportunities for Improvement section on page eleven.

Background

"The Code Compliance Department's mission is to enforce State legislation and City ordinances that involve residential and commercial properties in order to ensure healthy, vital communities. The department attempts to prevent and eliminate aesthetic problems and ensure that residents have the opportunity to live in a clean, safe, and healthy community. The department also helps to maintain property values and a strong City tax base. This is accomplished by inspecting residential and commercial properties to ensure proper maintenance and compliance with minimum standards."[1]

The Code Compliance Department (Code) is responsible for enforcing the requirements of Chapter 32 of the City's Code of Ordinances. There are certain Code violations that exist

elsewhere in the Code of Ordinances (e.g. zoning), therefore, the inspectors will follow that Chapter, Article and Section when applicable. The Director of Code Compliance oversees the Code Compliance Department. This position reports to the Building Official. There is one Code Compliance Administrator that oversees the three divisions which consist of Neighborhood Standards, Housing Standards, and Commercial Standards. Business Operations (BO), within the Code Compliance department, is responsible for administration job functions.

Organizational chart during the scope of the audit, October 1, 2016 through December 31, 2017:
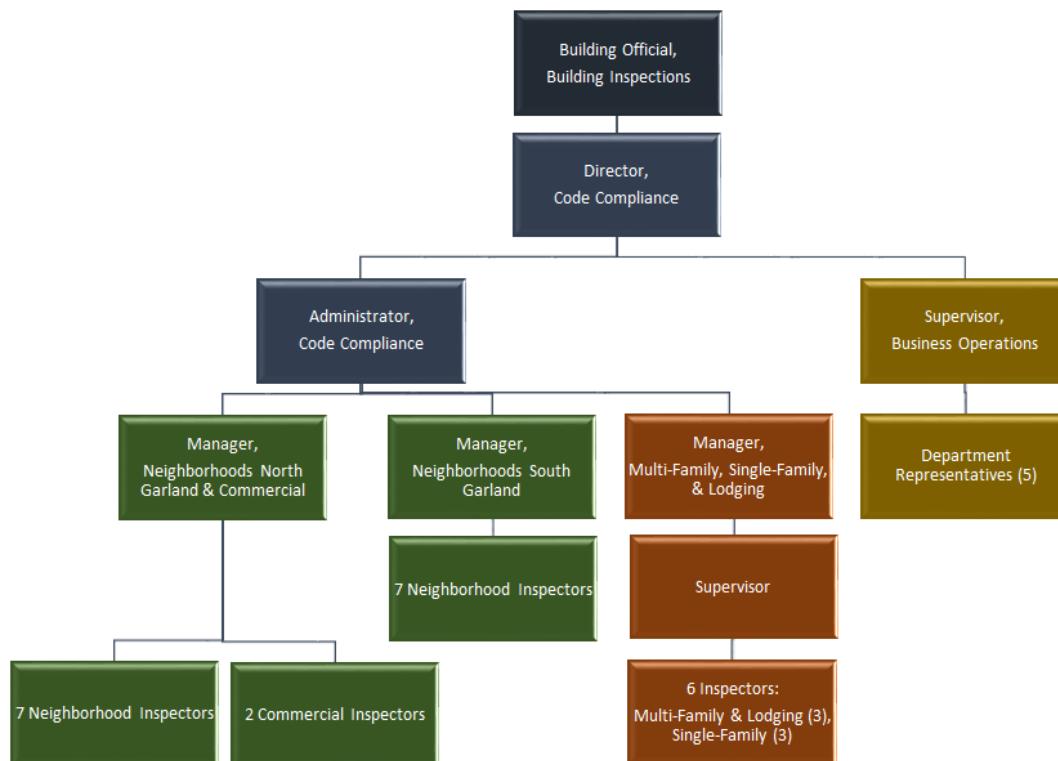
Source: Code Compliance

- Neighborhood Standards had two managers, 14 neighborhood inspectors, and 14 districts within the City of Garland. Each inspector was responsible for residential area inspections within their assigned district. Currently, there are fifteen neighborhood inspectors. For Neighborhood Standards, conceptually, every property in Garland is inspected at least six times per year, proactively.

- Commercial Standards is organized under Neighborhood Standards. It had two inspectors and two districts that were divided up as North Garland and South Garland. Currently, there are four commercial inspectors. The inspectors are responsible for exterior commercial property inspections. Commercial Standards was established in 2013 with four inspectors and the goal of reducing the performance measure of violations per property to less than one.[2]

- Multi-family, Single-family rental, and Lodging are organized under Housing Standards. There is one supervisor, three inspectors, and three districts that are divided up as North Garland, Central Garland, and South Garland. The inspectors are responsible for multi-family and lodging inspections. There are also three single-family rental inspectors in Housing Standards.

- For multi-family, as of 2017, there were 225 complexes, 1,864 buildings, and 19,097 units. [5] All exteriors are 100 percent inspected on an annual basis. Interiors are inspected utilizing an equation to produce a representative sample.[3]

- Business Operations currently has a staff of five. Their main job functions consist of processing complaints/requests, work orders, permits, and scheduling inspections for single-family rental units.[2]

Code Compliance Systems
Code utilizes Customer Resource Management (CRM), a Microsoft product, as their ERP system. "It was implemented in 2016 and was custom tailored to meet their needs. It provides on-the-fly reporting measures, an efficient "Street Checker" tool, and it is visible to other departments such as Customer Service. Code also utilizes GPS by Zubie. This tracks vehicles in real-time and enables managers to more easily assess coverage needs. It also provides visual assurance that all neighborhoods are being covered as needed."[2]

Violations and Complaints
Code Compliance is responsible for investigating Code Compliance complaints. Code's policy is to inspect complaints within 24 hours of the complaint. Code complaints are received through Garland's online portal called eAssist, email submissions, phone calls, or walk-in visits. If the complaint is submitted through eAssist, BO, Code's administration department will receive an email with a unique eAssist number specific to the complaint, log into Accela (interface used for eAssist) and reply to the complaint (i.e. reply to the complainant and let them know the complaint has been sent to the inspector and it is being worked on), manually enter the complaint into CRM, and then the complaint shows up on the inspector's dashboard in CRM to be inspected.

IA documented process flowcharts for some of the main processes and worked with Code to make any changes, finalizations, and final sign-offs. An inspector will go to a property initiated by a complaint or proactive inspection, according to the flowchart below. If the inspector does not find a violation when doing a proactive inspection, no further action is taken and the case is marked "Closed-No Violations". If the inspector does not find a violation when following up on a complaint, the case is marked as "No Code" and closed. Each violation has been set up in CRM with an allotted number of days in which the citizen has to comply and abate the violation (e.g. 9 days for high grass). Per Code and documented as such in CRM, in the case of a Final Notice of Violation (FNOV) or citation being issued, the compliance days is then cut in half from the original allotted number of days to comply (e.g. 4.5 days for high grass). In both instances, after the allotted number of days has expired, the property will automatically display on the inspector's dashboard in CRM to let the inspector know a

reinspection must be conducted on the property. Note that multi-family inspectors also issue nuisance (*nuisance defined-page 13) violations that follow the same process flow.

Commercial & Neighborhood Violations (property not already on annual notice)

Source: Code Compliance and IA
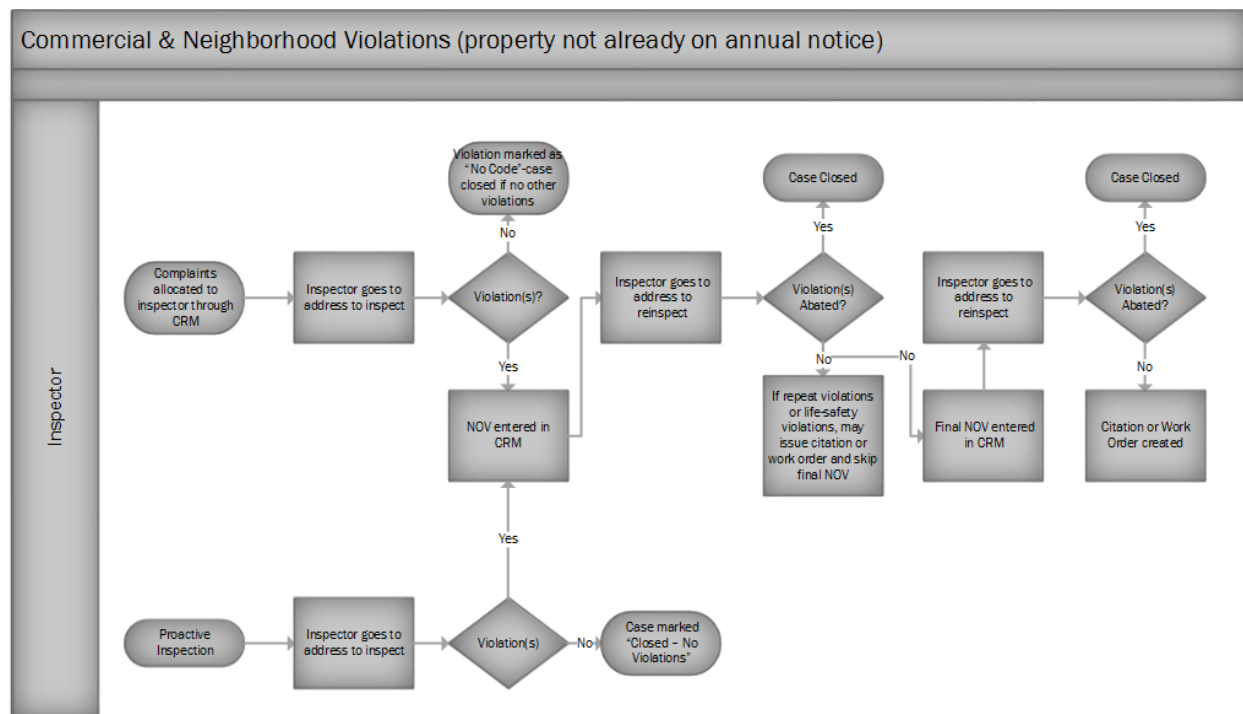
Citations

Citations have long been used as a tool by Code to enforce compliance by the residents and businesses to help promote vibrant neighborhoods and a safe community. Citations are issued at the discretion of the inspector for any violations identified, however, they are typically reserved for repeat offenders or health or safety concerns.

Citation Log Book

BO keeps a physical citation log to track when citation books are issued to and returned by the inspectors.

Multi-Family

MF property owners are responsible for renewing their license on an annual basis. BO is responsible for collecting applications and fees and issuing licenses for the MF complexes. All applications are due by the first of the year, and upon the complex turning in a completed application and the license fee, they receive their license that is good through the end of the year.

Much of the data analysis and tracking for the MF division is done manually and has yet to be migrated into CRM like the Neighborhood and Commercial divisions. There are three types of violations in MF.

- Life Safety: 24-hour compliance time frame
- Critical: 72-hour compliance time frame
- Non-Critical: 30-day compliance time frame

During the scope of the audit, dwelling units were inspected based on a representative sample between 10-12% of the units. In 2018, Code implemented an inspection plan that increased the annual inspection percentage for those properties that frequently had violations, and they minimized the percentage for those properties that had very few to zero violations on a consistent basis. The following is based on the number of violations from the previous year.

Conditions to Be Used for Percent of Units Inspected	
Property 0-3 years old and 0.0 violations per unit	3%
Property greater than 3 years old and 0.0 violations per unit	8%
Greater than 0.0 and less than or equal to 0.59 violations per unit	11%
Greater than 0.59 and less than or equal to 0.99 violations per unit	18%
Greater than or equal to 1.0 violations per unit	25%

Source: Code Compliance

Code in the Community
According to the City of Garland's website, "Code Cares is Garland Code Compliance's award-winning community outreach program. The program was created to help Garland residents maintain their property when they cannot. Code Cares helps residents who are seniors, disabled or financially challenged with property maintenance. Over the years Code Cares has helped hundreds of property owners. The program started out modestly. Code inspectors would donate their time and equipment to help residents on the weekends. The program has grown since and now most of the work is done by volunteers like yourself. The program was designed to connect those in need with those willing to help."[1]

Code Compliance has a community outreach program in which inspectors attend Homeowner's Association (HOA), Neighborhood Association (NA), crime watch meetings, and other miscellaneous events, including an annual MF meeting with the owners and/or management.

Sources:
1. City of Garland website: https://www.garlandtx.gov/gov/cd/code/default.asp
2. Code Compliance's PowerPoint Presentation
3. Code Compliance Inspector
4. North Central Texas Council of Governments (NCTCOG) 2005 Code Enforcement Benchmarking Analysis
5. 2017 Violation sheet

Management Accomplishments*

Code Compliance is an important facet in the overall health, safety and welfare of the residents of the City of Garland.

First tier suburbs are first to feel the effects of aging housing stock, restricted growth, as well as the impact of changing demographics especially when compared to outer ring suburbs. Maintaining the habitability and value of a city's housing stock is of utmost importance to the sustainability of the community.

Code Compliance is charged with enforcing the property maintenance standards adopted by the City Council. These minimum standards are intended to provide safe, healthy and viable conditions for the properties and buildings that people live, work, play, learn and worship in. These standards can reviewed for viability and be adjusted to meet the needs and desires of the community.

In fiscal year 16-17 Code Compliance accomplished the following:

1. Neighborhood Standards had 57,588 inspections requiring enforcement actions as a result of the proactive inspection process. Service requests were at an all-time low of 8,404 – down from 12,345 the previous year. Additionally as reported in this audit, Code Compliance is seeing a 98% compliance rate.

2. Graffiti abatement work orders showed a significant decrease, down to 131 compared to 244 the previous year. This is primarily due to the continuation of the part-time seasonal worker pilot program assigned to the Commercial Property Division. Along with the 200+ graffiti abatements performed by this part-time staff member, he also removed over 9,500 illegally placed signs in right-of-ways, over 500 abandoned shopping carts and performed approximately 250 other miscellaneous tasks. Council funded this part-time position for FY 2017-18 as a result of the program's success and the savings incurred from having certain tasks performed by in-house staff as opposed to contractual labor.

3. Commercial Standards issued 6,426 notices-of-violation and responded to 812 citizen complaints. Nuisance Violations at commercial properties decreased to 1.61 violations per address compared to 2.06 violations per address the previous year.

4. Departmental staff issued and processed 1,983 nuisance abatement work orders. Additionally, the department maintained approximately 120 properties acquired by the City through foreclosure. With assistance from the Tax department, certain proceeds from the sale of foreclosed properties is now applied to the maintenance costs incurred by Code Compliance.

5. Administrative staff processed permit renewals throughout the year for the single family, multifamily and lodging rental programs. The single-family rental Inspection program remained completely self-funded with over $322K in revenue collected. Multifamily and lodging collections exceeded $257K.

6. The single-family rental program conducted 1,035 change-in-tenancy inspections on the approximate 9,500 active single-family rental residences. Staff identified 770 life-safety and 706 critical violations. Recheck rates and violation closures reached an all-time high.

7. The Multifamily Inspection program conducted 10,216 inspections. Ten properties were subjected to comprehensive inspections due to unsatisfactory compliance rates with follow-ups pending in FY 2017-18.

8. The Lodging Establishment program implemented 2014 experienced a continuation in the reduction of observed violations. One property was subjected to a comprehensive inspection. The 21 properties averaged 5.09 violations per Lodging Establishment – down from 9.85 at inception of the program.

9. Street parking concerns continued to be an issue across the city. Resources were redirected and certain street parking violations were absorbed into the proactive inspection model. We anticipate service requests to continue to decline utilizing existing ordinances as a result of this initiative.

10. The Property Standards Board convened five times hearing 17 cases during the fiscal year. The Board either upheld, or only slightly modified, all staff recommendations.

*Please note that "Management Accomplishments" are written by the audited entity and that Internal Audit did not audit or verify its accuracy.

Opportunities for Improvement

During our audit, we identified certain areas for improvement. Our audit was not designed or intended to be a detailed study of every relevant system, procedure, and transaction. Accordingly, the Opportunities for Improvement section presented in this report may not be all-inclusive of areas where improvement might be needed.

FINDING # ISS.1 – Timeliness of Violation Compliance (Obj. A)

CONDITION (THE WAY IT IS)

Overall Violations Status

IA identified approximately 77,600 violations created within the scope of the audit, however, to get the most up-to-date status on those violations, IA included violation statuses through March 27, 2018. The following graph depicts the status of all violations (77,570), whereas the graph thereafter does not include No Code Violation cases (72,359). The only violations issued by MF inspectors that are included in the violations analysis are nuisance violations; MF inspection violations are addressed later in the report.
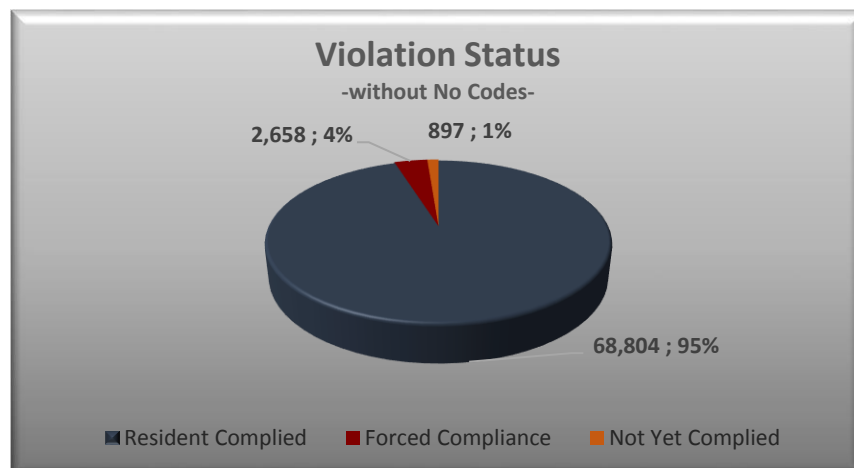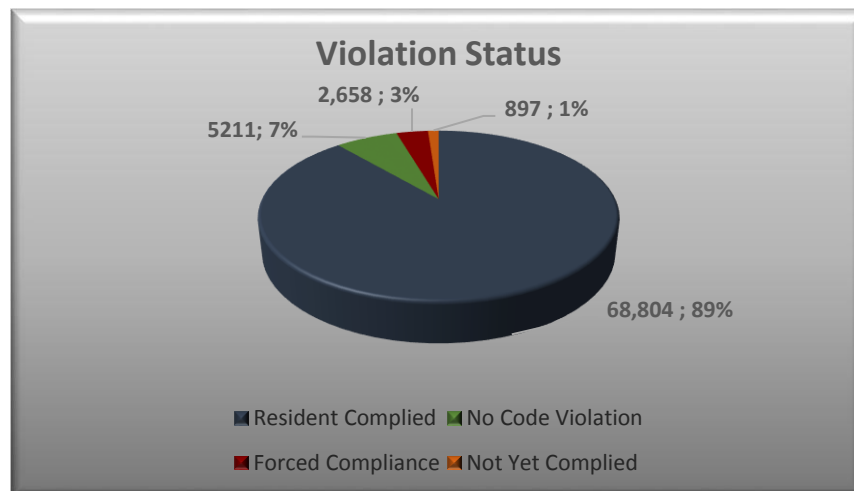
Source: Code Compliance CRM
Approximate +/- 0.63% error rate on Forced Compliance and Not Yet Complied Numbers

To obtain a better understanding of the overall violation status and the compliance times of the categories, Resident or Business Complied, Forced Compliance, and Not Yet Complied, IA drilled down into the data. The following analysis is broke up among these three categories.

Resident or Business Complied
Voluntary compliance is used in this analysis to refer to the violation being abated by means of the resident complying after an NOV was issued. There may have been additional means of enforcement used thereafter for the violations, however, the end result was the resident complying.

Days	Quantity	*Percent of Total
0 to 9	8,871	13%
10 to 19	31,943	46%
20 to 29	13,483	20%
30 to 39	5,046	7%
40 to 49	2,573	4%
50 to 59	1,306	2%
60 to 69	1,723	3%
70 and up	3,859	6%
	68,804	100%

95.09% of all violations   *rounded
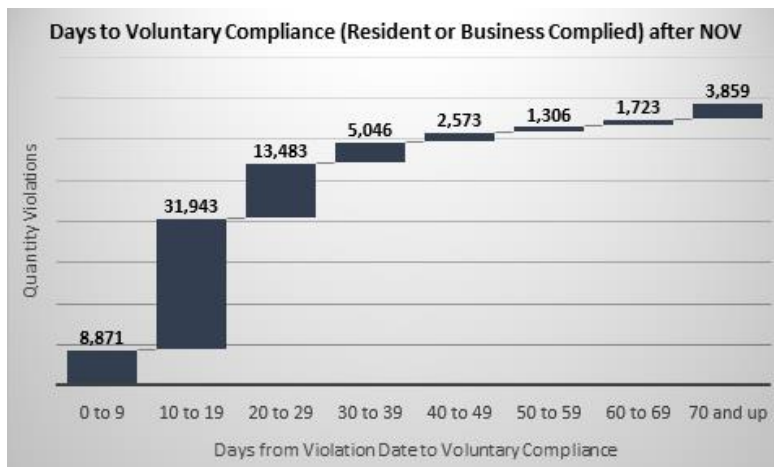
Source: Code Compliance CRM

Forced Compliance by Work Order, Code Compliance, or Vehicle Towed
Forced Compliance is used in this analysis to refer to compliance by means of a Work Order, Code Compliance (i.e. Code inspector cutting the tree limbs to abate the encroachment violation on a sidewalk), or Vehicle Towed.

Days	Quantity	*Percent of Total
0 to 9	1,135	43%
10 to 19	378	14%
20 to 29	353	13%
30 to 39	237	9%
40 to 49	168	6%
50 to 59	97	4%
60 to 69	72	3%
70 and up	218	8%
	2,658	100%

3.67% of all violations   *rounded
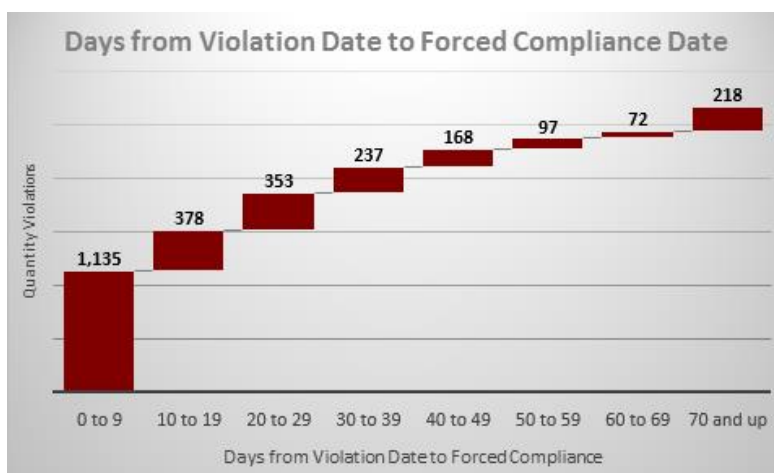
Source: Code Compliance CRM

No Resident or Business Compliance and No Forced Compliance

The following 897 violations did not fall into the Resident or Business Complied or Forced Compliance categories.

Days	Quantity	*Percent of Total
0 to 9	31	3%
10 to 19	22	2%
20 to 29	39	4%
30 to 39	33	4%
40 to 49	36	4%
50 to 59	33	4%
60 to 69	24	3%
70 and up	679	76%
	897	100%

1.24% of all violations   *rounded

Source: Code Compliance CRM

Top Violations

The top 10 violations accounted for 72% of all violations, the top 20 violations accounted for 92.57%, and the top 30 violations accounted for 97.03%.
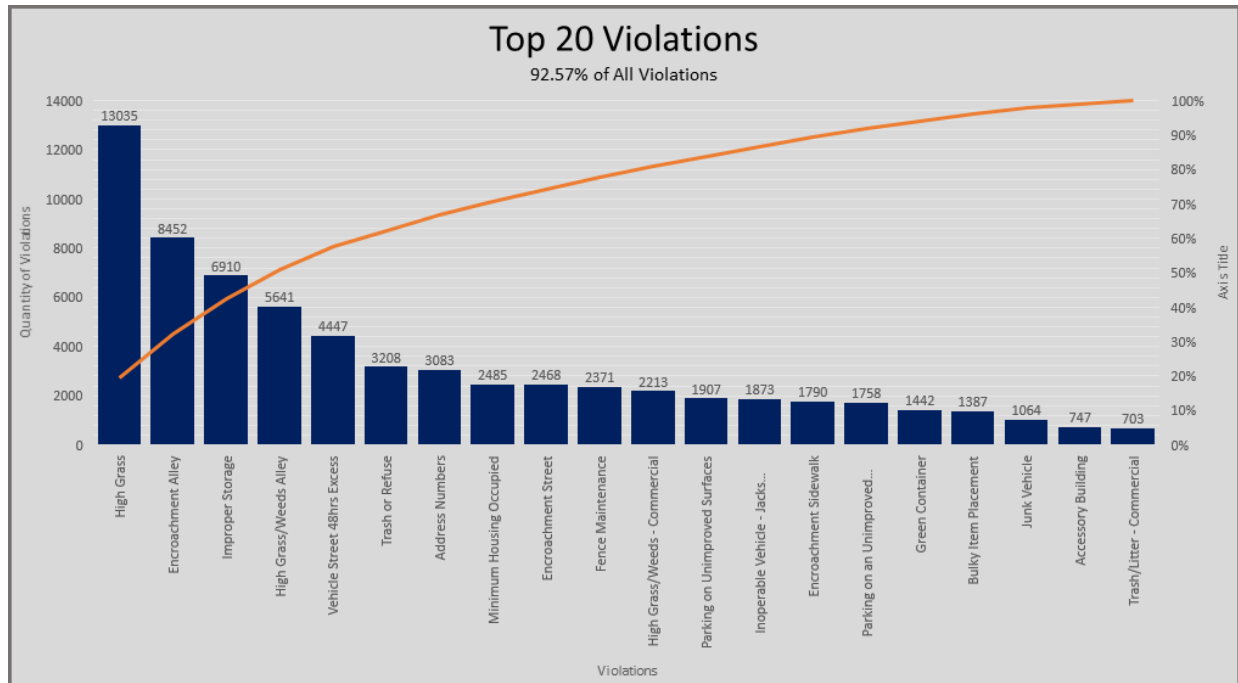
Source: Code Compliance CRM

*City of Garland Code of Ordinances Chapter 32, Article II, Division 1, Sec. 32.50: _Nuisance_ shall include stagnant or unwholesome water, sinks, privies, filth, carrion, weeds, rubbish, brush and refuse, impure or unwholesome matter of any kind, sewage exposed to the atmosphere, objectionable, unsightly or unsanitary matter of whatever nature, litter as defined elsewhere in this Code, harborage for rodents or parasitic insects, open wells, abandoned refrigerators, animal pen or enclosures which have become offensive, improper storage, graffiti, encroachment, substandard premises, junk motor vehicles, junked boats, junked off-road motorcycles or junked all terrain vehicles, poison ivy, poison oak, or poison sumac (within 50 feet of an occupied dwelling,) and potable water nuisances.

For the following analysis, IA drilled down further on the top 10 violations to capture the various compliance day deadlines that pertain to each of the top 10 violations to gauge the time it was taking to obtain compliance.

1. **High Grass***

    High Grass was the top violation with 13,034 violations.

    - 18.01% of all violations issued.

9-Day Compliance Time		
Days	Quantity	% of Total*
0 to 4	75	1%
5 to 9	214	2%
10 to 14	5,962	46%
15 to 19	2,580	20%
20 to 24	1,775	14%
25 to 29	847	6%
30 and up	1,581	12%
	13,034	100%

18.01% of all violations   * rounded

49%

High Grass
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

1,581 ; 12%   75 ; 0%   214 ; 2%
847 ; 6%
1,775 ; 14%
5,962 ; 46%
2,580 ; 20%

■ 0 to 4   ■ 5 to 9   ■ 10 to 14   ■ 15 to 19
■ 20 to 24   ■ 25 to 29   ■ 30 and up
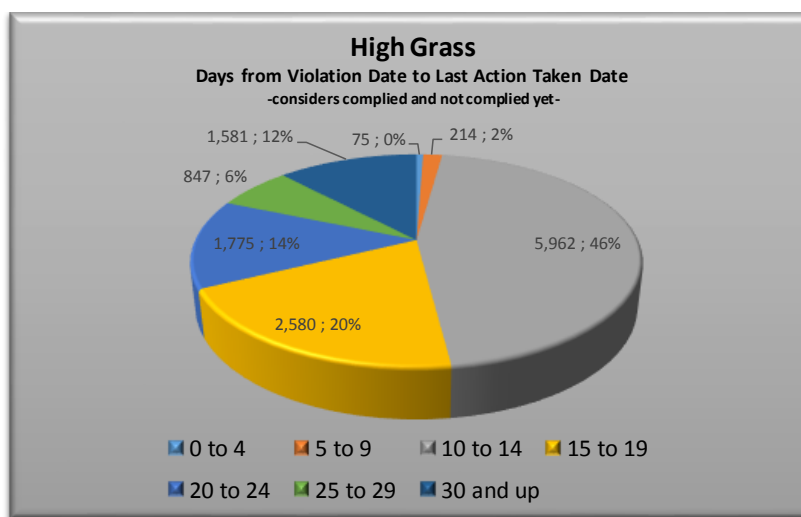
Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	12,797	237
% Total Violations	98%	2%
Average Days Open or Closed	21	166

	Closed Violations	Open Violations
Quantity 15+ days*	6,550	233
Average Days Open or Closed	29	169

	Closed Violations	Open Violations
Quantity 30+ days*	1,363	218
Average Days Open or Closed	64	178

*Many violations may have an annual notice keeping the violation open.
Source: Code Compliance CRM

- 6,550 violations were 15+ days with an average of 29 days before closed.
- 1,363 of the 6,550 violations were 30+ days open with an average of 64 days before closed.
- A percentage (approximately 1.4%-3.2%) of the violations may have been on annual notice and were therefore required to remain open.

*City of Garland Code of Ordinances Chapter 32, Article II, Division 1, Sec. 32.50: _Weeds_ shall mean uncultivated or cultivated vegetation, including grass, having a height in excess of twelve (12) inches.

2. Encroachment Alley*

Encroachment Alley was the 2nd highest violation with 8,450 violations.

- 11.68% of all violations issued.

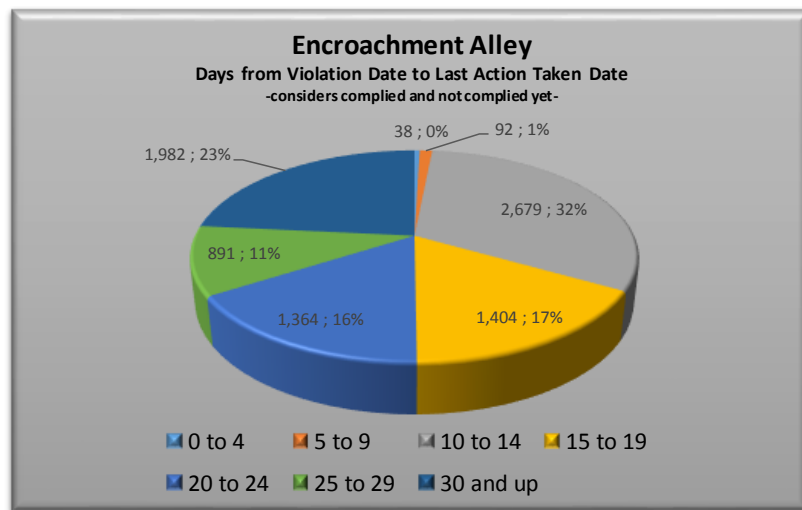| 9-Day Compliance Time			
Days	Quantity	% of Total*	
0 to 4	38	0%	
5 to 9	92	1%	
10 to 14	2,679	32%	33%
15 to 19	1,404	17%	
20 to 24	1,364	16%	
25 to 29	891	11%	
30 and up	1,982	23%	
	8,450	100%	

11.68% of all violations   * rounded

Encroachment Alley
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

38 ; 0%   92 ; 1%
1,982 ; 23%
2,679 ; 32%
891 ; 11%
1,364 ; 16%   1,404 ; 17%

0 to 4   5 to 9   10 to 14   15 to 19
20 to 24   25 to 29   30 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	8,443	7
% Total Violations	100%	0%
Average Days Open or Closed	25	145

	Closed Violations	Open Violations
Quantity 15+ days	5,635	6
Average Days Open or Closed	31	167

	Closed Violations	Open Violations
Quantity 30+ days	1,976	6
Average Days Open or Closed	48	167

Source: Code Compliance CRM

- 5,635 violations were 15+ days with an average of 31 days before closed.
- 1,976 of the 5,635 violations were 30+ days open with an average of 48 days before closed.

*City of Garland Code of Ordinances Chapter 32, Article II, Division 1, Sec. 32.50: _Encroachment_ shall mean any object, structure or vegetation which obstructs or otherwise impedes or is likely to obstruct or otherwise impede the lawful passage of traffic, vehicular and pedestrian, over any street, alley, alley easement, utility easement greater than 10 feet in width, or sidewalk in the City.
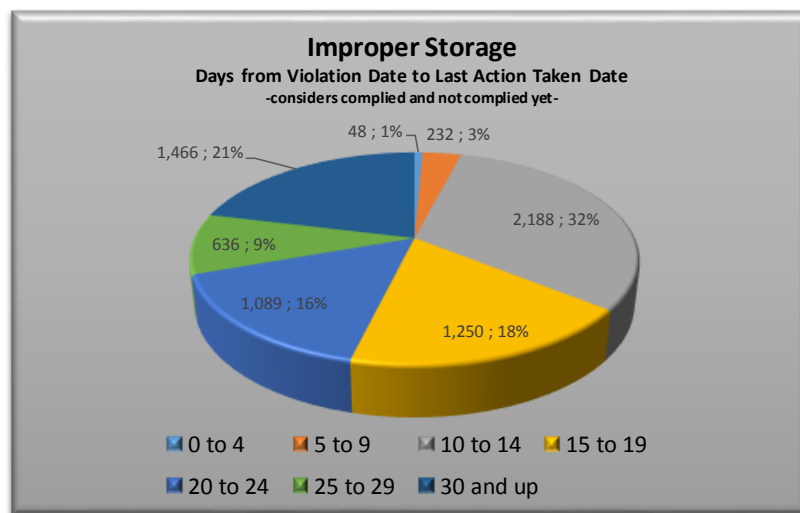
3. Improper Storage*

Improper Storage was the 3rd highest violation with 6,909 violations.

- 9.55% of all violations issued.

9-Day Compliance Time		
Days	Quantity	% of Total*
0 to 4	48	1%
5 to 9	232	3%
10 to 14	2,188	32%
15 to 19	1,250	18%
20 to 24	1,089	16%
25 to 29	636	9%
30 and up	1,466	21%
	6,909	100%

36%

9.55% of all violations   * rounded

Improper Storage
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

48 ; 1% — 232 ; 3%
1,466 ; 21%
2,188 ; 32%
636 ; 9%
1,089 ; 16%
1,250 ; 18%

0 to 4   5 to 9   10 to 14   15 to 19
20 to 24   25 to 29   30 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	6,901	8
% Total Violations	100%	70%
Average Days Open or Closed	26	95
Quantity 15+ days	4,434	7
Average Days Open or Closed	33	108
Quantity 30+ days	1,459	7
Average Days Open or Closed	59	108

Source: Code Compliance CRM

- 4,434 violations were 15+ days with an average of 33 days before closed.
- 1,459 of the 4,434 violations were 30+ days open with an average of 59 days before closed.

*City of Garland Code of Ordinances Chapter 32, Article II, Division 1, Sec. 32.50: *Improper storage* shall mean the outdoor storage, for a period greater than 24 hours, in a residential district, as defined by the zoning ordinance, of articles and material subject to deterioration by the elements, including but not limited to furniture and appliances other than those customarily installed or used out-of-doors, boxes, vehicle parts, and paper; any material which is stored in a disorderly manner or in such a manner as to offer harborage to vermin; any cut wood, firewood, lumber, or other building material, except masonry, which is not stored a minimum of six inches above the ground.
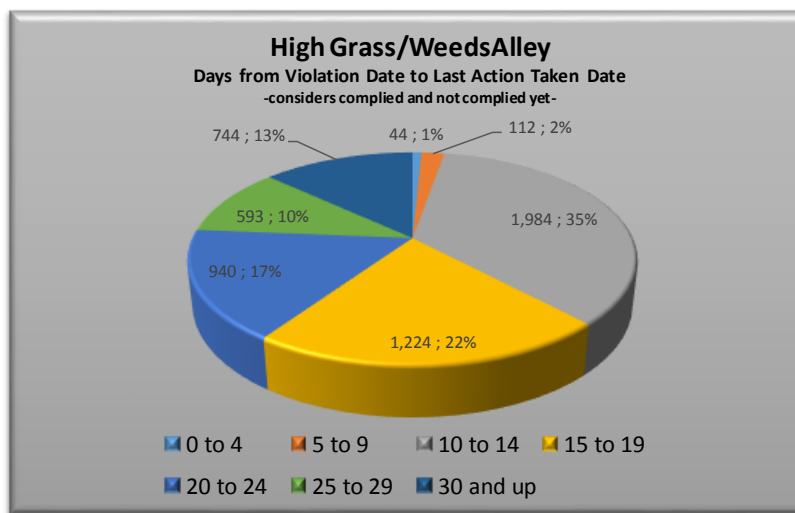
4. High Grass/Weeds Alley*

High Grass/Weeds Alley was the 4th highest violation with 5,641 violations.

- 7.80% of all violations issued.

9-Day Compliance Time		
Days	Quantity	% of Total*
0 to 4	44	1%
5 to 9	112	2%
10 to 14	1,984	35%
15 to 19	1,224	22%
20 to 24	940	17%
25 to 29	593	11%
30 and up	744	13%
	5,641	100%

7.80% of all violations   * rounded

High Grass/WeedsAlley
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

744 ; 13%   44 ; 1%   112 ; 2%
593 ; 10%
940 ; 17%   1,984 ; 35%
1,224 ; 22%

- 0 to 4 - 5 to 9 - 10 to 14 - 15 to 19
- 20 to 24 - 25 to 29 - 30 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	5,527	114
% Total Violations	98%	2%
Average Days Open or Closed	21	156
Quantity 15+ days	3,388	113
Average Days Open or Closed	27	158
Quantity 30+ days	642	102
Average Days Open or Closed	56	172

Source: Code Compliance CRM

- 3,388 violations were 15+ days with an average of 27 days before closed.
- 642 of the 3,388 violations were 30+ days open with an average of 56 days before closed.

*City of Garland Code of Ordinances Chapter 32, Article II, Division 1, Sec. 32.50: _Weeds_ shall mean uncultivated or cultivated vegetation, including grass, having a height in excess of twelve (12) inches.
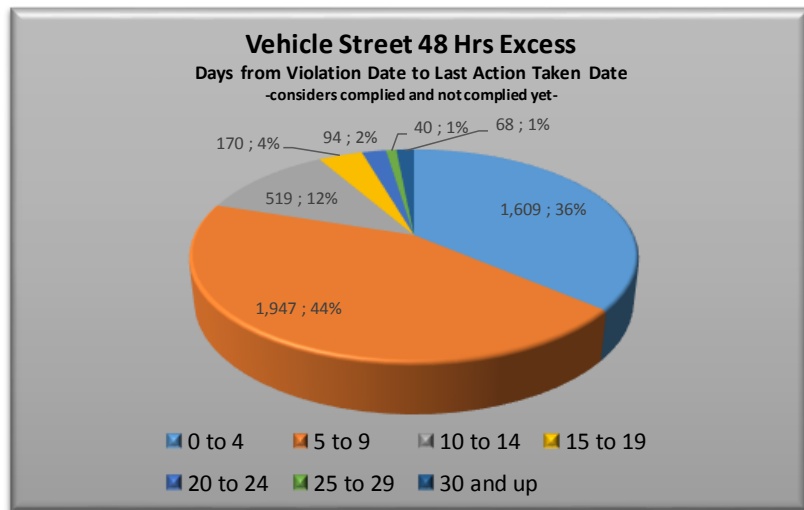
5. Vehicle Street 48 Hours Excess*

Vehicle Street 48 Hours Excess was the 5th highest violation with 4,447 violations.

- 6.15% of all violations issued.

2-Day Compliance Time		
Days	Quantity	% of Total*
0 to 4	1,609	36%
5 to 9	1,947	44%
10 to 14	519	12%
15 to 19	170	4%
20 to 24	94	2%
25 to 29	40	1%
30 and up	68	2%
	4,447	100%

6.15% of all violations   * rounded

36%

Vehicle Street 48 Hrs Excess
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

170 ; 4%   94 ; 2%   40 ; 1%   68 ; 1%
519 ; 12%
1,609 ; 36%
1,947 ; 44%

■ 0 to 4   ■ 5 to 9   ■ 10 to 14   ■ 15 to 19
■ 20 to 24   ■ 25 to 29   ■ 30 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	4,447	0
% Total Violations	100%	0%
Average Days Open or Closed	7	0
Quantity 5+ days	2,838	0
Average Days Open or Closed	10	0
Quantity 15+ days	372	0
Average Days Open or Closed	24	0

Source: Code Compliance CRM

- 2,838 violations were 5+ days with an average of 10 days before closed.
- 372 of the 2,838 violations were 15+ days open with an average of 24 days before closed.

*City of Garland Code of Ordinances Chapter 26, Article I, Sec. 26.01: No person shall allow a vehicle to remain unattended in any place maintained by any governmental entity for a period of time in excess of forty-eight hours. A peace officer or other city official designated to enforce parking laws and regulations may take into custody any vehicle found to be in violation of this subsection. Prior to taking a violating vehicle into custody, a notice of violation shall be securely attached to the vehicle for a minimum of forty-eight hours, specifying the violation, the date, the approximate time, and the location of the violation.
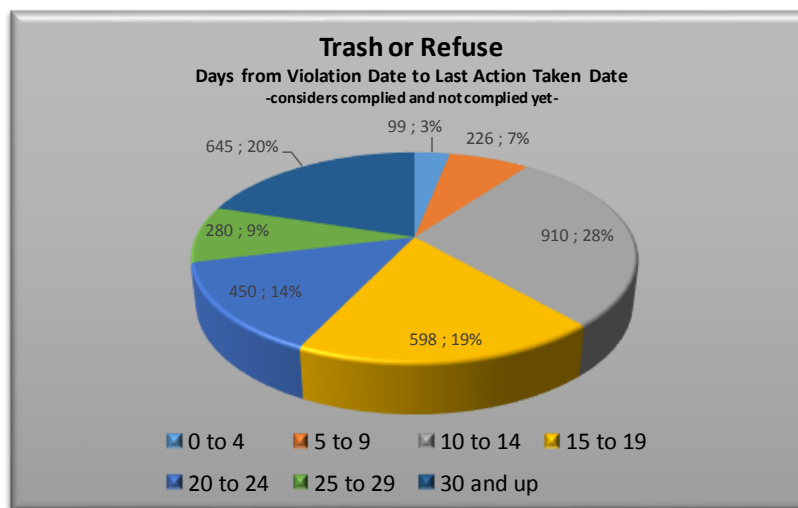
6. Trash or Refuse*

Trash or Refuse was the 6th highest violation with 3,208 violations.

- 4.43% of all violations issued.

9-Day Compliance Time		
Days	Quantity	% of Total*
0 to 4	99	3%
5 to 9	226	7%
10 to 14	910	28%
15 to 19	598	19%
20 to 24	450	14%
25 to 29	280	9%
30 and up	645	20%
	3,208	100%

38%

4.43% of all violations   * rounded

Trash or Refuse
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

99 ; 3%   226 ; 7%   645 ; 20%   280 ; 9%   450 ; 14%   598 ; 19%   910 ; 28%

- 0 to 4
- 5 to 9
- 10 to 14
- 15 to 19
- 20 to 24
- 25 to 29
- 30 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	3,188	20
% Total Violations	99%	1%
Average Days Open or Closed	24	126
Quantity 15+ days	1,956	17
Average Days Open or Closed	33	148
Quantity 30+ days	629	16
Average Days Open or Closed	58	155

Source: Code Compliance CRM

- 1,956 violations were 15+ days with an average of 33 days before closed.
- 629 of the 1,956 violations were 30+ days open with an average of 58 days before closed.

*City of Garland Code of Ordinances Chapter 32, Article II, Division 1, Sec. 32.50: _Refuse_ shall mean any homogeneous or heterogeneous accumulation of worn out, used up, broken, rejected or worthless materials.

7. Address Numbers*

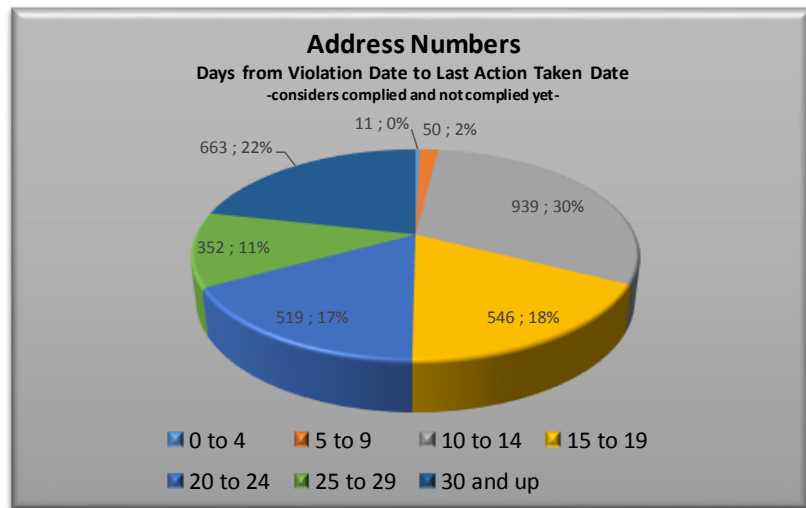Address Numbers was the 7th highest violation with 3,080 violations.

- 4.23% of all violations issued.

9-Day Compliance Time		
Days	Quantity	% of Total*
0 to 4	11	0%
5 to 9	50	2%
10 to 14	939	30%
15 to 19	546	18%
20 to 24	519	17%
25 to 29	352	11%
30 and up	663	22%
	3,080	100%

4.23% of all violations   * rounded

32%

Address Numbers
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

- 11 ; 0%
- 50 ; 2%
- 939 ; 30%
- 546 ; 18%
- 519 ; 17%
- 352 ; 11%
- 663 ; 22%

■ 0 to 4   ■ 5 to 9   ■ 10 to 14   ■ 15 to 19
■ 20 to 24   ■ 25 to 29   ■ 30 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	3,080	0
% Total Violations	100%	0%
Average Days Open or Closed	25	0
Quantity 15+ days	2,080	0
Average Days Open or Closed	31	0
Quantity 30+ days	663	0
Average Days Open or Closed	53	0

Source: Code Compliance CRM

- 2,080 violations were 15+ days with an average of 31 days before closed.
- 663 of the 2,080 violations were 30+ days open with an average of 53 days before closed.

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*International Fire Code Section 505.1: Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the Fire Code Official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained.

*City of Garland Code of Ordinances International Residential Code, Chapter 30, Article XIII, Section R319.1 Address Identification
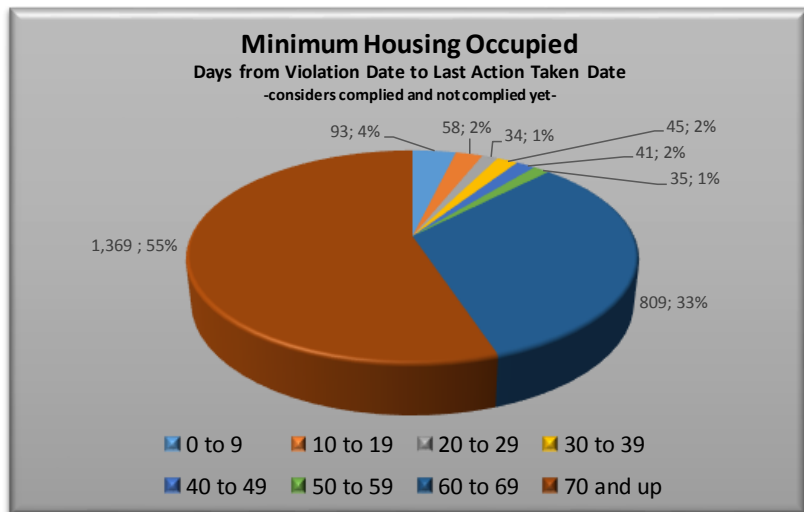
8. Minimum Housing Occupied*

Minimum Housing Occupied was the 8th highest violation with 2,484 violations.

- 3.43% of all violations issued.

62-Day Compliance Time		
Days	Quantity	% of Total*
0 to 9	93	4%
10 to 19	58	2%
20 to 29	34	1%
30 to 39	45	2%
40 to 49	41	2%
50 to 59	35	1%
60 to 69	809	33%
70 and up	1,369	55%
	2,484	100%

3.43% of all violations   * rounded

45%

Minimum Housing Occupied
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	2,403	81
% Total Violations	97%	3%
Average Days Open or Closed	98	213
Quantity 70+ days	1,295	74
Average Days Open or Closed	135	231
Quantity 90+ days	1,042	70
Average Days Open or Closed	150	240

Source: Code Compliance CRM

- 1,295 violations were 70+ days with an average of 135 days before closed.
- 1,042 of the 1,295 violations were 90+ days open with an average of 150 days before closed.

*City of Garland Code of Ordinances, Chapter 32, Article I, Division 1, Sec. 32.03 Substandard Premises
According to the ordinance, a premises is substandard if any one or more, in any combination, but not limited to, the following conditions exists on the premises: inadequate sanitation, structural hazards, faulty or insufficient smoke detectors, improperly maintained roof, hazardous wiring, hazardous plumbing, hazardous mechanical equipment, faulty weather protection, inadequate exits, improper occupancy, unsecured building.
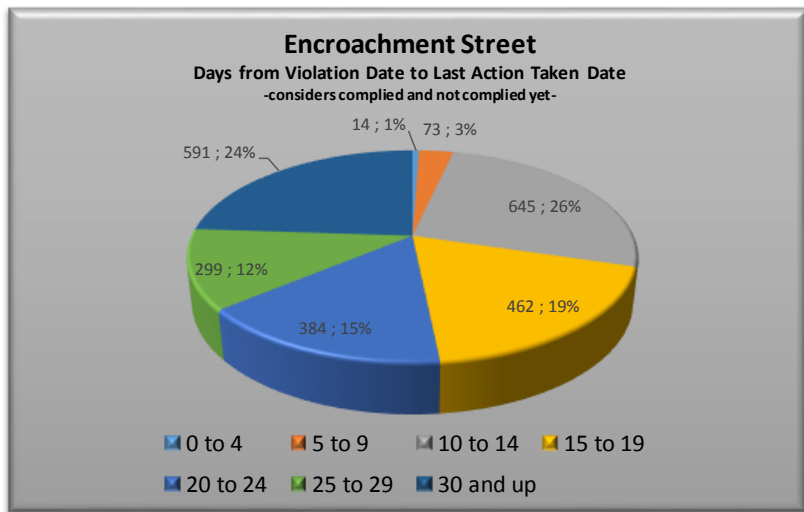
9. Encroachment Street*

Encroachment Street was the 9th highest violation with 2,468 violations.

- 3.41% of all violations issued.

9-Day Compliance Time		
Days	Quantity	% of Total*
0 to 4	14	1%
5 to 9	73	3%
10 to 14	645	26%
15 to 19	462	19%
20 to 24	384	16%
25 to 29	299	12%
30 and up	591	24%
	2,468	100%

3.41% of all violations   * rounded

30%

Encroachment Street
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

14 ; 1%   73 ; 3%
591 ; 24%
645 ; 26%
299 ; 12%
462 ; 19%
384 ; 15%

- 0 to 4
- 5 to 9
- 10 to 14
- 15 to 19
- 20 to 24
- 25 to 29
- 30 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	2,467	1
% Total Violations	100%	0%
Average Days Open or Closed	25	231
Quantity 15+ days	1,735	1
Average Days Open or Closed	31	231
Quantity 30+ days	590	1
Average Days Open or Closed	50	231

Source: Code Compliance CRM

- 1,735 violations were 15+ days with an average of 31 days before closed.
- 590 of the 1,735 violations were 30+ days open with an average of 50 days before closed.

*City of Garland Code of Ordinances Chapter 32, Article II, Division 1, Sec. 32.50: _Encroachment_ shall mean any object, structure or vegetation which obstructs or otherwise impedes or is likely to obstruct or otherwise impede the lawful passage of traffic, vehicular and pedestrian, over any street, alley, alley easement, utility easement greater than 10 feet in width, or sidewalk in the City.
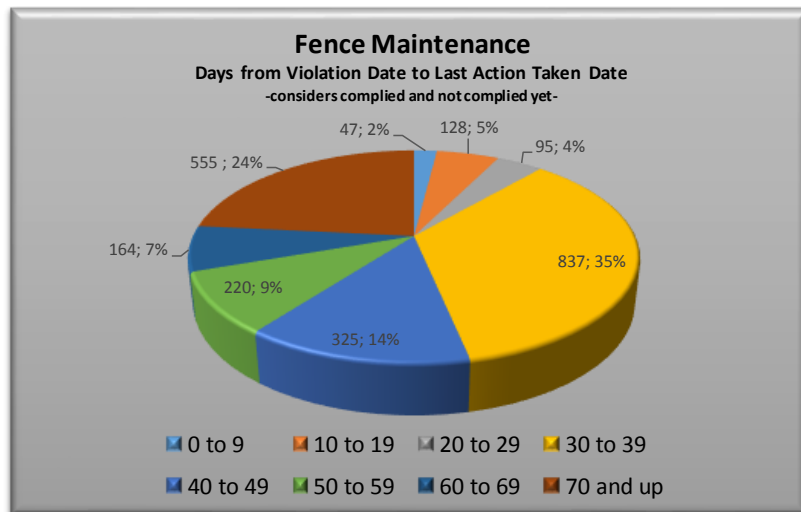
10. Fence Maintenance*

Fence Maintenance was the 10th highest violation with 2,371 violations.

- 3.28% of all violations issued.

32-Day Compliance Time		
Days	Quantity	% of Total*
0 to 9	47	2%
10 to 19	128	5%
20 to 29	95	4%
30 to 39	837	35%
40 to 49	325	14%
50 to 59	220	9%
60 to 69	164	7%
70 and up	555	23%
	2,371	100%

3.28% of all violations   * rounded

47%

Fence Maintenance
Days from Violation Date to Last Action Taken Date
-considers complied and not complied yet-

47; 2%   128; 5%   95; 4%
555 ; 24%
164; 7%
220; 9%
325; 14%
837; 35%

■ 0 to 9   ■ 10 to 19   ■ 20 to 29   ■ 30 to 39
■ 40 to 49   ■ 50 to 59   ■ 60 to 69   ■ 70 and up

Source: Code Compliance CRM

	Closed Violations	Open Violations
Quantity Violations	2,355	16
% Total Violations	99%	1%
Average Days Open or Closed	56	238
Quantity 40+ days	1,248	16
Average Days Open or Closed	78	238
Quantity 60+ days	703	16
Average Days Open or Closed	102	238

Source: Code Compliance CRM

- 1,248 violations were 40+ days with an average of 78 days before closed.
- 703 of the 1,248 violations were 60+ days open with an average of 102 days before closed.

As the above graphs show, compliance times should be improved upon to encourage voluntary compliance, pride in ownership, and vibrant, safe neighborhoods for the community. Furthermore, based on our analysis of compliance timeliness, the following are contributing factors for improvement.

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*City of Garland Code of Ordinances Chapter 30, Article II, Sec. 32.207: It shall be unlawful to maintain a fence in such a manner as to allow:
(1) Any portion of a fence to lean so that the fence's axis is more than ten (10) degrees out of perpendicular alignment with its base.
(2) Missing, loose or broken pickets, slats or panels in a fence.
(3) Symbols, writings and other graffiti on a fence except for those which are permitted as signs under this chapter or which pertain to the address or occupancy of a property.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)

Cause 1 - Inconsistency among handling of violations and cases. (see Exhibit B for details)

Cause 2 - Lack of reporting measures inhibits thorough monitoring of violations and cases. (see Exhibit C for details)

Cause 3 – Violation inconsistency across inspector districts. (see Exhibit D for details)

Cause 4 - Reinspections were not conducted within a consistent time frame based on violation type. (see Exhibit E for details)

Cause 5 - Public education of code violations and resources are not available in both English and Spanish and some are outdated. (see Exhibit F for details)

Cause 6 - Potential is not reached for resource allocation to the public, such as grant funding, outside assistance, or volunteer assistance. (see Exhibit G for details)

CRITERIA (THE WAY IT SHOULD BE)

According to the North Central Texas Council of Governments (NCTCOG) March 2005 Code Enforcement Benchmarking Analysis, "One of the potential best practices is to understand the underlying factors in the community in order to better manage and address the code enforcement concerns. Regarding the quality of life factor in economic development decisions, prospective employers assess quality of life when making their location decisions. A community's appearance gives off impressions about quality of life as surely as the community's streets and crime rate. The appearance of public and private spaces speaks volumes on how a community sees itself, its level of civic pride, and its commitment to protecting the economic vitality of its assets. Code enforcement is a direct assault on the visual problems that detract from those impressions. Without a concentrated effort to keep code-related problems in check, a community will lose its competitive edge in the economic development tug-of-war that occurs between cities."

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 12.01, Implement Control Activities: Management should implement control activities through policies.

Attributes

The following attributes contribute to the design, implementation, and operating effectiveness of this principle:
- *Documentation of Responsibilities through Policies*
- *Periodic Review of Control Activities*

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 12.04, Documentation of Responsibilities through Policies:
...Management communicates to personnel the policies and procedures so that personnel can implement the control activities for their assigned responsibilities.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 13.05, Data Processed into Quality Information:

Management processed the obtained data into quality information that supports the internal control system. This involves processing data into information and then evaluating the processed information so that it is quality information...Quality information is appropriate, current, complete, accurate, accessible, and provided on a timely basis...Management uses the quality information to make informed decisions and evaluate the entity's performance in achieving key objectives and addressing risks.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 15.01, Communicate Externally: Management should externally communicate the necessary quality information to achieve the entity's objectives.

Attributes

The following attributes contribute to the design, implementation, and operating effectiveness of this principle:
- *Communication with External Parties*
- *Appropriate Methods of Communication*

EFFECT (SO WHAT?)

Without formal and written standard operating procedures, policies, and training manuals; meaningful performance measures; residents' education and awareness of code violations and resources available for assistance; and a collaborative effort by the City and the residents, the City may not meet the focus goals of vibrant neighborhoods and safe communities. If an accurate view of the City cannot be conducted and evaluated over time, resources may continue to be used with good intentions but with the incorrect strategic focus as to where they can best be utilized for the betterment of the community and quality of life. As a result, the residents may lack incentive to invest in their properties. Furthermore, this may directly impact businesses investing in the City.

Per the NCTCOG study, "Code enforcement sets the stage for a more complete neighborhood revitalization program. When all elements of a revitalization program are working in synergy, then revitalization can induce major reinvestment decisions to rehabilitate existing housing stock and build infill units...Moreover, it is a tangible affront to the disinvestment mentality so prevalent in older neighborhoods...While code enforcement alone cannot sustain renewed investment, it must be an integral part of the total neighborhood revitalization effort."

RECOMMENDATION

Code Management should:

1) Conduct a property conditions survey by hiring an independent party or coordination with another city to benchmark the property conditions of the City. After conducting the property conditions survey, the district lines may need to be remapped or resources re-allocated. The property conditions survey should be conducted on an annual or biannual

basis to show progress or digression, so resources can be reevaluated according to changes in the survey.

As stated by the NCTCOG study, until a city is able to capture an accurate view of itself as it relates to codes and forges consensus on a better outcome, then mapping out its unique code enforcement process is a "hit and miss" proposition. Also according to the study, the participating cities identified the following indicators as most useful in determining a program's effectiveness.

- The portion or percent of property in the city meeting compliance criteria, and
- How this ratio improves over time based on actions of city.

Further details included in Exhibit H.

2) Re-evaluate compliance time frames and notification process with City Council to gauge whether they align with the goals of the City regarding vitality of neighborhoods, quality of life, and a safe community.

3) Once compliance times and notification policies have been established, formal and written policies should be drafted addressing the following, but not limited to:
   - Inspection and reinspection time frames.
   - Approved range of inspector discretion when it comes to granting extensions on violations and management approval outside of this range.
   - Documentation requirements
   - Reporting requirements
   - Inspector rotation and allocation
   - Enforcement criteria

4) Develop a formal and written standard operating procedure to standardize the process flow for violation cases that details the action steps on a violation case, from the issuance of a violation through the reinspections thereafter, so cases are treated in a consistent and equitable manner. A comprehensive training guide for each division of Code should also be implemented. Policies, procedures, and training manuals should be reviewed and updated annually.

5) Implement a monitoring process to track and evaluate the following performance measures and discrepancies monthly. These should also be used as a basis for sending to senior management for dashboard reports.
   - Violations
     - By compliance times
     - Percent of violations achieving voluntary compliance after the initial Notice of Violation.
     - Quantity of violations per inspector and district instead of the violation quantity as a whole to determine if resources should be allocated to other inspectors or districts to promote vibrant neighborhoods and a safe

community. This should have a direct dynamic link to the property condition survey.

- Reinspections
  - An aging schedule that lists the age of all open violations and the last date a reinspection was conducted. Overdue inspections/reinspections should be highlighted in the system to bring attention to them.
  - Timeliness of reinspections by compliance days.
- Complaints (response times and percent violation found versus no violation found)
- Violations closed without any actions taken on them.

These performance measures should then be analyzed against industry standards.

6) Clarify the wording and formatting of notices to maximize effectiveness. All notices and educational Code materials should be, at a minimum, in English and Spanish.

7) Evaluate how the resources are getting to the residents of Garland and implement and enhance educational items that already exist, such as redoing the Teaching Residents About Code ((T.R.A.C. (updating and making it multi-lingual)) and adding descriptions to eAssist violations. The front page of the website, where the eAssist button exists, should let the residents know what eAssist is.

8) Implement a full-time coordinator position and allocate the position to further enhance the efforts of the volunteer and community outreach programs already in place. This position would focus not only on streamlining and coordinating efforts of the programs in existence, but would also focus on obtaining corporate sponsorship to continuously maintain the coordination among those in need and those able to provide services. This would look very similar to the People Helping People program that once existed but was discontinued several years ago, therefore, much of the framework already exists. The additional resources would increase the City's outreach efforts to promote vitality of neighborhoods and safe communities.

MANAGEMENT RESPONSE

1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation.

3) Code Compliance concurs with this recommendation.

4) Code Compliance concurs with this recommendation.

5) Code Compliance concurs with this recommendation.

6) Code Compliance concurs with this recommendation.

7) Code Compliance concurs with this recommendation.

8) Code Compliance concurs with this recommendation.

1) Code Compliance has used an internal incident reporting measure for over 10 years. Historically, this measure has been based on average violations per property and has been used to allocate resources where needed. However, at City Manager or Council direction, Code Compliance will explore costs associated with having an outside party conduct a property condition survey.

2) Code Compliance will prepare a report for City Council's review to document current compliance times and notification processes. Nuisance violations follow state statute notice periods and due process. Property maintenance/minimum housing violations are granted up to 60 day compliance periods. Additional time may be granted at inspector discretion as necessary to gain compliance. Enforcement tools are utilized as a last recourse.

3) Once direction from City Council is established, policies and procedures will be updated and/or redrafted to reflect Council's desired level of service. Workflows are incorporated into CRM to provide inspectors appropriate actions at decision points within the process. Latitude within the workflows has been developed over years to provide inspectors discretion in order to accommodate citizenry in achieving compliance. Overall, these workflows enable the department to meet the departmental mission and accomplish the goals set forth by City Administration and the City Council.

4) Code Compliance does have certain SOPs and policies. Workflows are incorporated into CRM to provide inspectors appropriate actions at decision points within the process. Procedures and policies will be updated and/or redrafted based on Council's desired level of service.

5) Code Compliance provides dashboard reports and has begun separating some measures by Council district to accommodate certain requests. Department will develop monitoring processes to track suggested performance measures and additional performance measures for proactive inspections. Department will strongly request expedited updating and upgrading of CRM to provide necessary functionality.

6) Code Compliance will review existing notices with the City Attorney's office and will contact Public Media Relations to ensure that any suggested revisions are in line with City standards regarding literature in alternate languages. Department will consider the potential issues with printing multiple pages for notices and other constraints within the current system. It should be noted that CRM notices that are hard coded within the software and may require software/hardware modifications and funding to meet this recommendation. A cost benefit analysis should be performed to determine viability.

7) Educational materials are currently being updated as a result of the enhanced community outreach efforts that began in 2017. Many documents have already been translated into

Spanish. Code Compliance will continue to work with Public Media Relations to create and translate educational material and will review alternate options for improving communications. While Code Compliance agrees with updating eAssist, the website and application are not controlled by Code Compliance.

8) Code Compliance will develop or assist the appropriate department, with the development of job description and job duties for the volunteer coordinator position and update process flows to include social service resources to optimize compliance times.
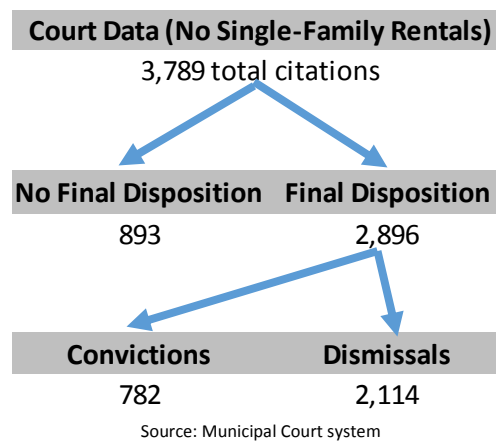
IMPLEMENTATION DATE

1) Current practices are immediate and ongoing. Timeline to be determined if Council directs a third party survey.

2) By the end of first quarter of 2019.

3) Current practices are immediate and ongoing with a final implementation date depending on Council direction regarding new compliance times.

4) Current practices are immediate and ongoing with a final implementation date depending on Council direction regarding new compliance times.

5) This will be addressed in CRM upgrades.

6) Notices will be reviewed for effectiveness by December 2018.

7) Current practices are immediate and ongoing.

8) Immediate following determination of appropriate department and budget funding.

FINDING # ISS.2 – Citation Process Could Be Improved in a Collaborative Effort by Court, Code, Residents, and Businesses to Promote Voluntary Compliance. (Obj. A)

CONDITION (THE WAY IT IS)

According to The Municipal Court (Court) system, there were 3,789 citations issued by the Code Compliance Department from October 1, 2016 through December 31, 2017. Single Family (SF) Rental citations were not included in the analysis since they were not within the scope of the audit. As of March 16, 2018, of those 3,789 citations, 2,896 had a final disposition (case closed) by Court with an average of 117 days from citation date to final disposition date, and 893 citations had no final disposition (case open) by Court. The data following the graph is only based on those citations with a final disposition unless otherwise noted.

Court Data (No Single-Family Rentals)
3,789 total citations

No Final Disposition	Final Disposition
893	2,896

Convictions	Dismissals
782	2,114

Source: Municipal Court system

782 (27%) of the citations with a final disposition resulted in convictions, and 746 (95%) of those were paid by a resident or business. Again, this may not promote compliance, as the resident or business can pay the fine and leave the violation as is on their property. Consequently, the resident or business can continue to do this without physically abating the violation.

567 (27%) of dismissed citations were court-related (e.g. plea bargain, interest of justice), and 1,547 (73%) of dismissed citations were Code-related ((e.g. dismissed at inspector's request, lack of or insufficient Probably Cause Affidavit (PCA), error on complaint)).
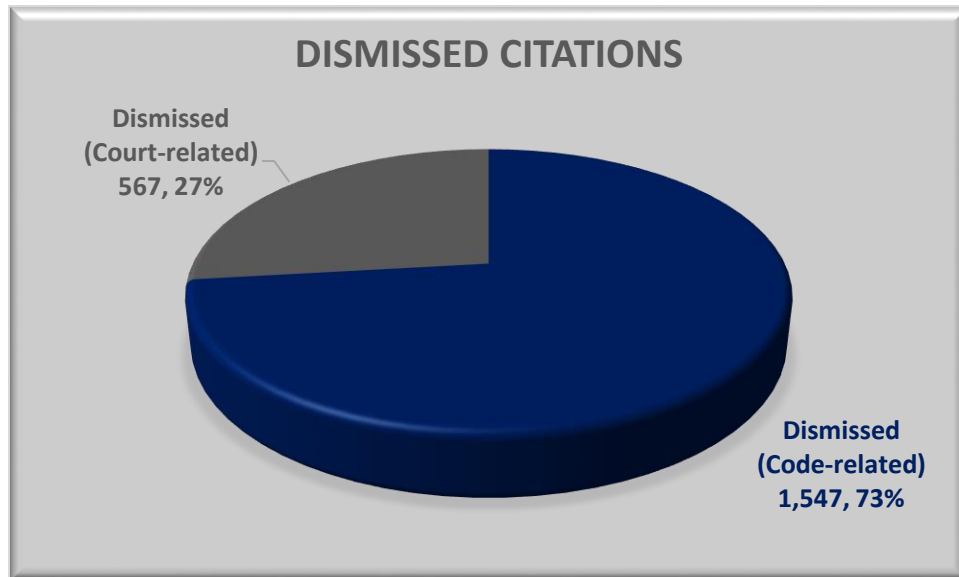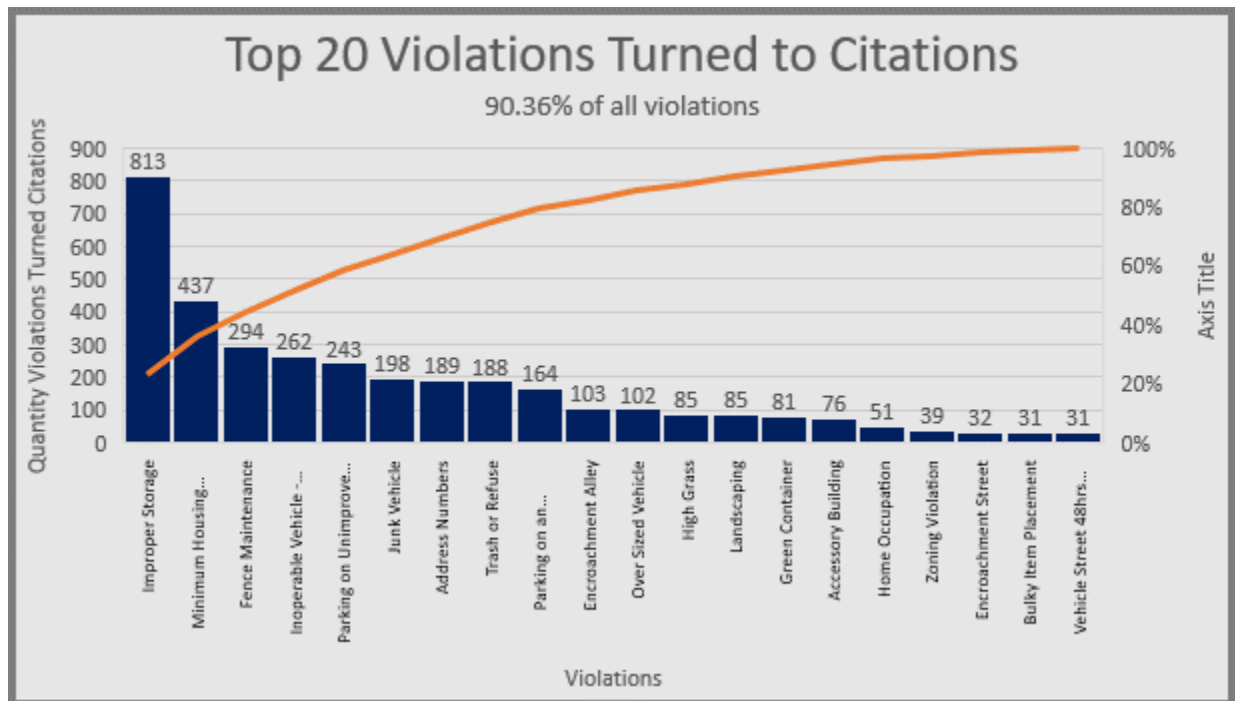
Source: Municipal Court system

| Top 3 Code-related Dismissals	Qty	% of all Dismissals
Lack of or Insufficient PCA	990	46.8%
Inspector Request	405	19.2%
Error on Complaint	75	3.5%

Source: Municipal Court system

IA also wanted to get a better understanding as to which violations were most frequently cited.

Source: Code Compliance CRM

Of the citations issued within the scope of the audit, 2,114 (73%) of the citations were dismissed, and 990 (47%) of the total dismissals or 34% of the total citations with a final disposition, were dismissed due to lack of or insufficient Probable Cause Affidavit (PCA).
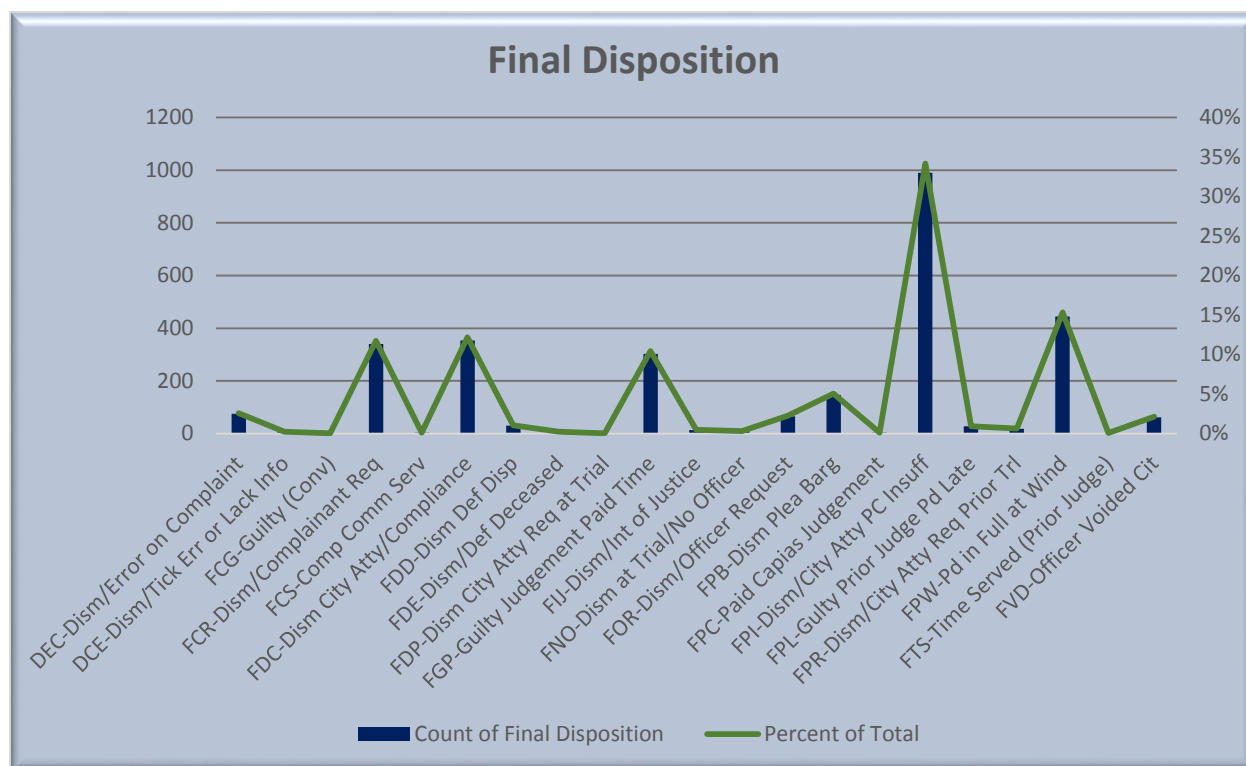
Source: Municipal Court system

Currently, the inspector must fill out and submit a PCA for each citation. If the inspector does not do so, or the inspector does not properly do so, the citation will be dismissed due to the lack of or insufficiency of the PCA.

The City of Garland currently hears Code cases combined with other dockets. From what IA witnessed, the judge hears non-Code cases at the same time the prosecutor hears the Code cases. The Code inspector is not directly involved in any facet of the court process unless requested by the prosecutor. The prosecutor calls the defendant for the Code-related case and the defendant will go and sit with the prosecutor while the judge calls defendants for other non-Code-related cases. There were at least two cases within the hour IA was there in which the defendant had multiple citations, and a plea was reached in which one citation would be paid for by the defendant and the others would be dismissed.

IA surveyed three cities (Richardson, Irving, and Farmers Branch) within the area that use a pretrial hearing process to filter Code cases. Every Monday, the City of Richardson has a one hour docket set aside for Code cases in which they typically hear approximately 50 cases. Half of the inspector's cases are heard one Monday and half the following Monday. In other words, each inspector has their cases heard every other Monday. Present are the judge, prosecutor, and inspector. Another large aspect of Richardson's pretrial hearings is that a

PCA does not have to be filled out. The inspectors bring a copy of the citation, any notices of violation that have been sent, and the pictures that accompany the citation.

The defendant must appear instead of paying a fine. If the defendant pleads guilty or no contest, and the defendant has come into compliance since being issued the citation, the inspector recommends dismissal. The defendant also has the option to contact the inspector prior to the court date, and if the inspector goes to the property and the violation has been abated, the inspector will request dismissal and the defendant does not have to show up at court. Again, the goal is compliance. If the defendant is a repeat offender, then a fine may be issued.

The prosecutor is there to work with the defendant towards compliance. If the defendant requests an extension to abate the violation or is already working on it, an extension may be granted, and another hearing will be scheduled, typically two weeks or 30 days out in which the defendant must be in compliance (these are sometimes due to misunderstandings, for example, if the violation was to cut the tree and the one in the front was cut instead of the one in the back). The defendant can either appear in court or contact the inspector to let them know the violation has been abated. The inspector can then dismiss the case. If a resident comes back to the hearing 1-2 times without compliance, a fine is typically then issued. Richardson only hears a couple of cases per year that go to trial due to the defendant pleading guilty. The reason is that if a defendant does plead guilty, the prosecutor steps aside with the defendant and explains to them what the trial entails and that a guilty or no contest plea will allow them to abate the violation and have the case dismissed. Once again, the goal is compliance for the betterment of the City.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)
- The City of Garland currently does not have a system in which the prosecutor, inspector, and/or judge work with the defendant for compliance.

- The Garland Court process requires the Code inspectors to fill out and submit a sufficient PCA with all citations, and Code is not a part of the court process unless requested by the prosecutor. Whereas Richardson inspectors are part of the docket call and bring a copy of the citation, any notices of violation that have been sent, and the pictures that accompany the citation, and they are an active participant in the court process, when required.

CRITERIA (THE WAY IT SHOULD BE)
"…the aim of code enforcement should be compliance, not punishment or vengeance. Reasons for lack of compliance include not only defiance and carelessness, but also lack of knowledge about how to remedy the problem and inability to afford the needed repairs.

A good municipal or county code enforcement program should be rounded out to provide information about resources for finding good advice and for obtaining financial assistance if needed. In other words, policies and programs, as well as finding and prosecuting violations

of the law, are encompassed in quality code enforcement." (https://www.useful-community-development.org/code-enforcement.html)

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in OV2.20 Objectives of an Entity: By linking objectives throughout the entity to the mission, management improves the effectiveness and efficiency of program operations in achieving the mission.

- Resources should be maximized effectively to attain compliance in the most efficient manner.

- Part of Code's mission is to attempt to prevent and eliminate aesthetic problems and ensure residents have the opportunity to live in a clean, safe, and healthy community. According to the mission, the department also helps to maintain property values and a strong City tax base.

- Code, Court, businesses, and the residents should all work in a collaborative effort to do exactly as the mission states for the community to grow and to increase the appearance and quality of life to assist in becoming a stronger contender in the metroplex for future businesses to consider investing in and consequently growing its economic development.

EFFECT (SO WHAT?)
- A case cannot proceed without a sufficient PCA, and if the resident or business does not pay, the case will be dismissed, and the Garland property may be left in a non-compliance state. Furthermore, if the residents or businesses are repeat violators and have become accustomed to knowing they may not have to comply, this does not enhance the appearance of Garland nor does it promote synergy within the community to better the neighborhoods of Garland.

- If the pilot pretrial hearing process is implemented by the City of Garland, this may save the inspectors' valuable time, and resources can be more effectively allocated if they do not have to fill out a PCA. It is possible that if the inspectors believe that their cases will result in compliance versus dismissal, they will be more apt to feeling as though they are also helping to contribute to the betterment of the community.

- In the cases where the defendant had multiple citations, and a plea was reached in which one citation would be paid for by the defendant and the others would be dismissed, it is possible that the defendant had yet to comply with any of the citations when a plea was reached. Therefore, Garland may not see any benefit from the compliance perspective. If the inspectors are not filling out and issuing PCAs with the citations, this is a waste of time and resources for all parties involved.

- In addition, compliance times from the initial violation to the resident or business complying are extended and violations may remain open for an extensive amount of time

which is seen later in the report. Even though the resident or business may comply, the compliance may come months after the initial violation.

RECOMMENDATION
Code should work with the City Attorney's office and Court administration to:

1) Implement a pilot pretrial hearing process in which the prosecutor, inspector, and/or the judge work with the defendant for compliance.

2) Evaluate the PCA requirement, and if PCAs are no longer required with the citations, the inspector should be required to keep track of all applicable documents, such as pictures, citations, and notices concerning the case to present in court if need be.

MANAGEMENT RESPONSE
1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation.

ACTION PLAN
1) This process will be recommended, by Code Compliance, to the office of the City Attorney and Municipal Court. Code Compliance will be available to assist in any way needed.

2) Code Compliance will evaluate PCA requirement with City Attorney's office and Court. Code Officers currently utilize CRM to maintain all documents and photos pertaining to a case this will continue.

IMPLEMENTATION DATE
1) Code Compliance will work with CA and Municipal Court to implement the pilot program at their convenience.

2) Evaluation of PCA will be completed by first quarter 2019 and document maintenance is ongoing with no further action required.
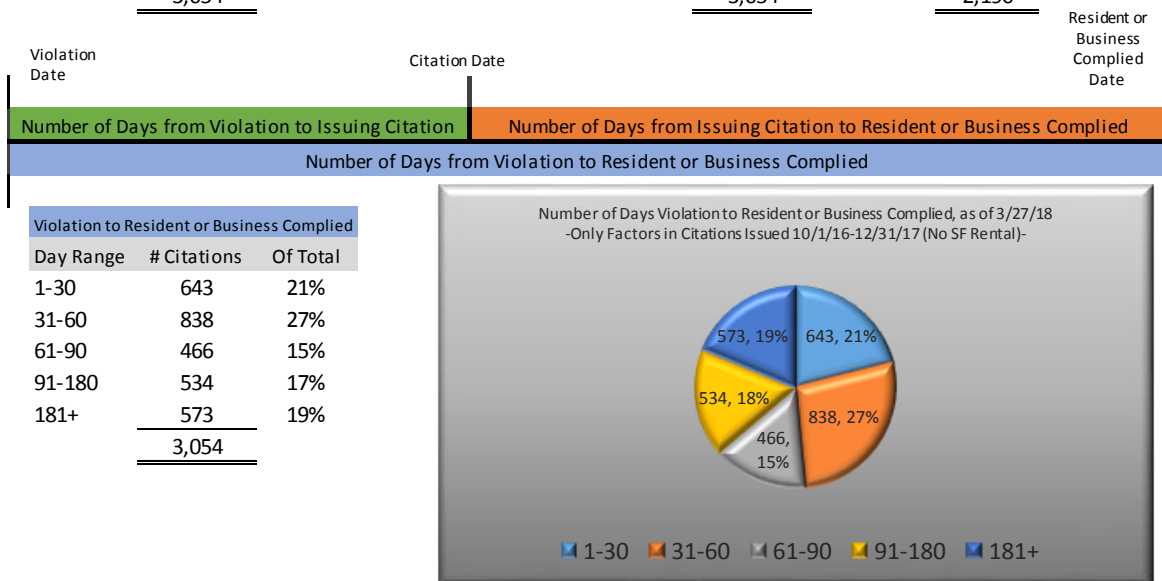
CONDITION (THE WAY IT IS)

IA did an individual analysis of the citations in which the resident or business complied and one in which the resident or business did not comply to evaluate the effectiveness of citations as an enforcement tool. For citations issued October 1, 2016 through December 31, 2017, and as of March 27, 2018, 3,054 (82%) of the citations resulted in the resident or business complying. IA broke this down further as to how long it took to issue the citation after the violation, how long it took to obtain compliance after the citation was issued, and also the average quantity of citations that were issued on a case in order to obtain compliance. This was done to try and capture the effectiveness from a different angle to obtain a visual timeline.

To obtain a more in depth picture of the citations, IA exported Code's citation data from CRM to obtain violation to citation times, citation to resident or business complied, and not complied times to gauge how long violations with citations were remaining open. Due to Court's citation data not reconciling 100% to Code's CRM citation data, the citation quantities for this analysis will not fully reconcile to those in the previous discussion of Court's citation data. There is an approximate +/- 4.7% error rate.

Resident or Business Complied Analysis

Violation to Citation		
Day Range	# Citations	Of Total
1-30	1,445	47%
31-60	683	22%
61-90	258	8%
91-180	414	14%
181+	254	8%
	3,054	

Citation to Resident or Business Complied				
Day Range	# Citations*	Of Total	# Cases	Cit/Case
1-30	1,791	59%	1,280	1.4
31-60	629	21%	473	1.3
61-90	226	7%	192	1.2
91-180	265	9%	179	1.5
181+	143	5%	66	2.2
	3,054		2,190	

Violation Date — Citation Date — Resident or Business Complied Date

Number of Days from Violation to Issuing Citation | Number of Days from Issuing Citation to Resident or Business Complied

Number of Days from Violation to Resident or Business Complied

Violation to Resident or Business Complied		
Day Range	# Citations	Of Total
1-30	643	21%
31-60	838	27%
61-90	466	15%
91-180	534	17%
181+	573	19%
	3,054	

Number of Days Violation to Resident or Business Complied, as of 3/27/18
-Only Factors in Citations Issued 10/1/16-12/31/17 (No SF Rental)-

573, 19% | 643, 21% | 534, 18% | 838, 27% | 466, 15%

■1-30 ■31-60 ■61-90 ■91-180 ■181+

Source: Code Compliance CRM

1,445 of the 3,054 (47%) citations were issued within 1-30 days of the violation, 683 (22%) were issued within 31-60 days of the violation, and 926 (30%) were issued 61+ days after the violation.

Resident or business complied within 30 days of the citation date
Total Quantity = 1,791   **Average Days Open = 40**
- 313 (17%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 119 days).
- 187 (10%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 157 days).

Resident or business complied within 31-60 days of the citation date
Total Quantity = 629   **Average Days Open = 67**
- 141 (22%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 128 days).
- 146 (23%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 183 days).

Resident or business complied within 61-90 days of the citation date
Total Quantity = 226   **Average Days Open = 119**
- 92 (41%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 161 days).
- 99 (44%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 227 days).

Resident or business complied within 91-180 days of the citation date
Total Quantity = 265   **Average Days Open = 174**
- 114 (43%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 178 days).
- 148 (56%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 280 days).

Resident or business complied within 181+ days of the citation date
Total Quantity = 143   **Average Days Open = 171**
- 62 (43%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 201 days).
- 90 (63%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 249 days).

Resident or Business Not Complied or Forced Compliance Analysis

There were 684 (18%) citations issued from October 1, 2016-December 31, 2017 in which the resident had not complied as of March 27, 2018. Of the 684, 234 (34%) of those were forced into compliance by Code (120), vehicle towed (24), or work order abatement (90). This left 450 citations in which the resident had yet to comply, and 443 of 450 (98%) were 91+ days without compliance, as of March 27, 2018.

Analysis to achieve the above Resident or Business Not Complied or Force Compliance Data			

No Resident or Business Compliance

As of 3/27/18, Number of Days Violations Open after Citation Issued

	# Citations	
1-30	7	2%
31-60	0	0%
61-90	0	0%
91-180	155	34%
181+	288	64%
	450	

Complied by Code, Towed Vehicle, or WO

Forced Compliance after Citation Issued

	# Citations	
1-30	91	39%
31-60	63	27%
61-90	26	11%
91-180	32	14%
181+	22	9%
	234	

Total Resident Not Complied

As of 3/27/18, Number of Days Violations Open after Citation Issued

	# Citations	
1-30	98	14%
31-60	63	9%
61-90	26	4%
91-180	187	27%
181+	310	45%
	684	

Source: Code Compliance CRM

Violation to Citation		
Day Range	# Citations	Of Total
1-30	120	18%
31-60	103	15%
61-90	99	14%
91-180	136	20%
181+	226	33%
	684	

Violation Date

| Citation to Forced Compliance or Resident or Business not Complied n as of 3/27/18				
Day Range	# Citations	Of Total	# Cases	Cit/Case
1-30	98	14%	57	1.7
31-60	63	9%	26	2.4
61-90	26	4%	13	2.0
91-180	187	27%	79	2.4
181+	310	45%	86	3.6
	684		261	

Citation Date

Forced Compliance or Resident not Complied as of 3/27/18

Number of Days from Violation to Issuing Citation	Number of Days from Issuing Citation to Forced Compliance or Resident or Business not Complied as of 3/27/18

Number of Days from Violation to Forced Compliance or Resident or Business not Complied as of 3/27/18	

Resident or Business not Complied as of 3/27/18		
Day Range	# Citations	Of Total
1-30	33	5%
31-60	52	8%
61-90	25	4%
91-180	103	15%
181+	471	69%
	684	

Number Days Violation to Forced Compliance or Resident or Business not Complied as of 3/27/18
-Only Factors in Citations Issued 10/1/16-12/31/17 (No SF Rental)-

33, 5% 52, 7% 25, 4% 103, 15% 471, 69%

■ 1-30 ■ 31-60 ■ 61-90 ■ 91-180 ■ 181+

234 of 684 violations were complied by Work Order, Towed Vehicle, or Code.

The remaining 450 violations did not have resident or business compliance as of 3/27/18.

22-44 of the 450 were required to remain open due to annual notices, and 15 were closed prior to 3/27/18.
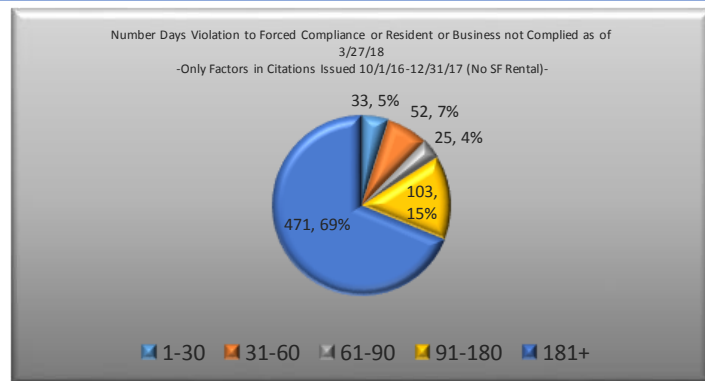
Source: Code Compliance CRM

120 of the 684 (18%) citations were issued within 1-30 days of the violation, 103 (15%) were issued within 31-60 days of the violation, and 461 (67%) were issued 61+ days after the violation.

Resident or Business not Complied or Forced Compliance 1-30 days as of March 27, 2018
Total Quantity = 98   Average Days Open = 130
- 18 (18%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 237 days).
- 15 (15%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 308 days).

Resident or Business not Complied or Forced Compliance 31-60 days as of March 27, 2018
Total Quantity = 63   Average Days Open = 96
- 14 (22%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 110 days).
- 10 (16%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 390 days).

Resident or Business not Complied or Forced Compliance 61-90 days as of March 27, 2018
Total Quantity = 26   Average Days Open = 59
- 10 (38%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 94 days).
- 6 (23%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 120 days).

Resident or Business not Complied or Forced Compliance 91-180 days as of March 27, 2018
Total Quantity = 187   Average Days Open = 281
- 69 (37%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 170 days).
- 112 (60%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 493 days).

Resident or Business not Complied or Forced Compliance 181+ days as of March 27, 2018
Total Quantity = 310   Average Days Open = 420
- 156 (50%) of these violations with a compliance deadline of 32 days or less were open for more than 60 days before issuing a citation (with an average of 392 days).
- 217 (70%) of these violations with a compliance deadline of 62 days were open for more than 90 days before issuing a citation (with an average of 564 days).

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)

- There is no mechanism to monitor citation time frame effectiveness for violation to citation, citation to resident or business complied, or the case as a whole.

- There is no policy or criteria to compare the results to, so IA does not have a solid conclusion as to the effectiveness of the citations without performance measures in place.

- Without policies and procedures in place that set a standard for compliance times, Code inspectors are left with close to full autonomy and discretion as to when the citation will be issued for the violation, thus creating possible inconsistencies among cases and prolonged amounts of time to compliance.

CRITERIA (THE WAY IT SHOULD BE)

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in OV2.20 Objectives of an Entity: By linking objectives throughout the entity to the mission, management improves the effectiveness and efficiency of program operations in achieving the mission.

- Resources should be maximized effectively to attain compliance in the most efficient manner.

- Part of Code's mission is to attempt to prevent and eliminate aesthetic problems and ensure residents have the opportunity to live in a clean, safe, and healthy community. According to the mission, the department also helps to maintain property values and a strong City tax base.

- Code, Court, and the residents all work in a collaborative effort to do exactly as the mission states for the community to grow and to increase the appearance and quality of life to assist in becoming a stronger contender in the metroplex for future businesses to consider investing in and consequently growing its economic development.

EFFECT (SO WHAT?)

- If there are no formal and written standard operating procedures and policies to address when a citation should be issued for a violation, some violations may remain open for an extended amount of time before issuing a citation, consequently increasing compliance times.

- Without policy or criteria in place to identify what is considered to be effective, the compliance and non-compliance results are relative and cannot be concluded or used reliably.

RECOMMENDATION
Code Management should:

1) Develop a policy for the number of days from violation to citation time frame effectiveness which will help to serve as a standard for inspectors to follow. When exceptions to this policy occur, inspectors should obtain management approval and clearly document the reason for the exception.

2) Continuously monitor the effectiveness, along with citation to compliance times, for an overall analysis. This should also be used as a basis for sending to senior management for dashboard reports.

MANAGEMENT RESPONSE
1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation.

ACTION PLAN
1) In conjunction with Finding #1, Recommendation #2, procedures/processes will be altered to meet City Council's desired level of service. Additionally recommended changes to Court's processes will decrease the number of exceptions to the policy. Code Compliance has convened an internal committee to review citation and PCA processes. A policy will be drafted based on the recommendations of the committee.

2) In conjunction with Finding #1, Recommendation #5, monitoring processes will be updated to track suggested performance measure. Multiple enforcement tools are employed by Code Compliance for case resolution. Case prosecution time frames are dictated by the Municipal Courts and due process.

IMPLEMENTATION DATE
1) By February 1, 2019.

2) This will be addressed in CRM upgrades.

CONDITION (THE WAY IT IS)

Neighborhood and Commercial Proactive Inspection Target Goals

The target goal for the neighborhood division was for each inspector (14 inspectors) to complete six proactive inspections per property within a 12-month time frame. The goal of the commercial division was for each inspector (2 inspectors) to complete one proactive inspection per property per month. The following analysis is based on the 15 months of the scope of the audit. As a conservative estimate, IA used the goal of six proactive inspections for neighborhood and 12 for commercial. Note that each neighborhood district is assigned one primary inspector.

According to Code management, it is at the inspector's discretion how they keep track of their own districts regarding what has or has not already been proactively inspected. CRM does not automatically populate this information on the inspector's dashboard and keep a running total of how many proactive inspections have been conducted at the properties.

The following observations were made when analyzing the proactive inspection data.

Neighborhood Proactive Inspections

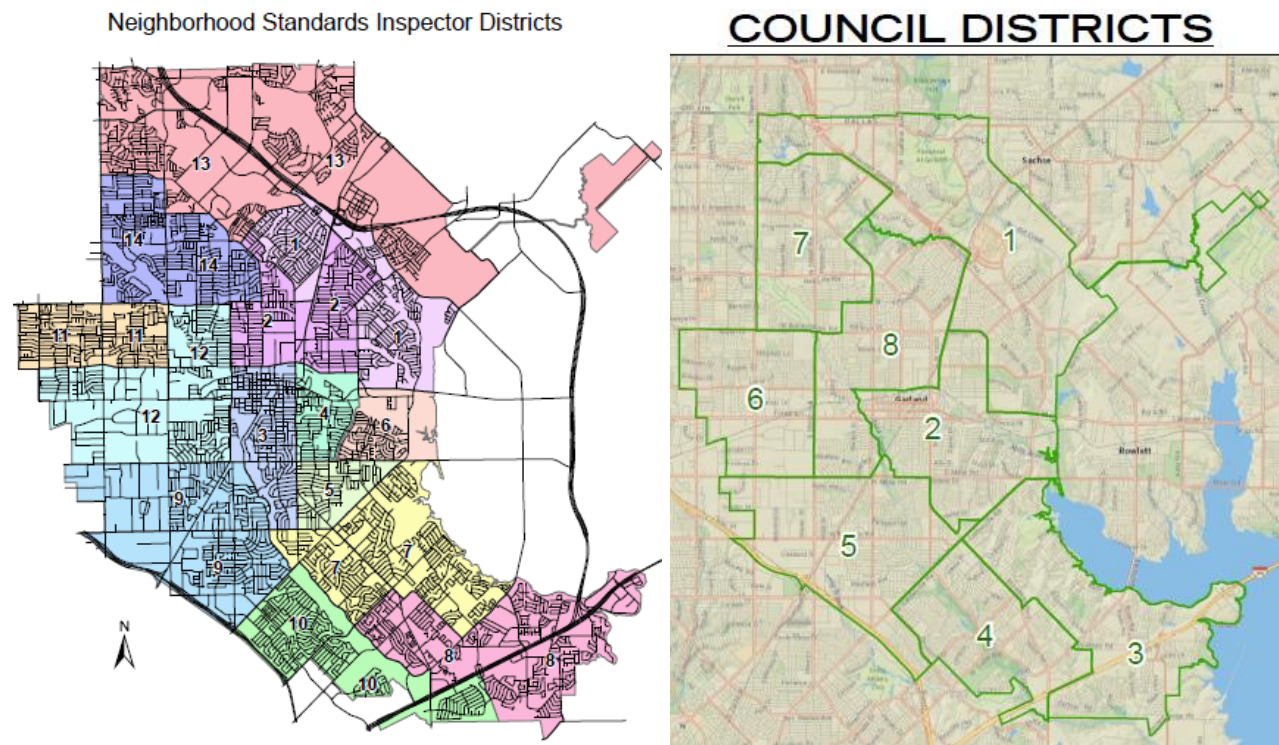## Quantity Properties Inspected per Neighborhood Inspector Analysis
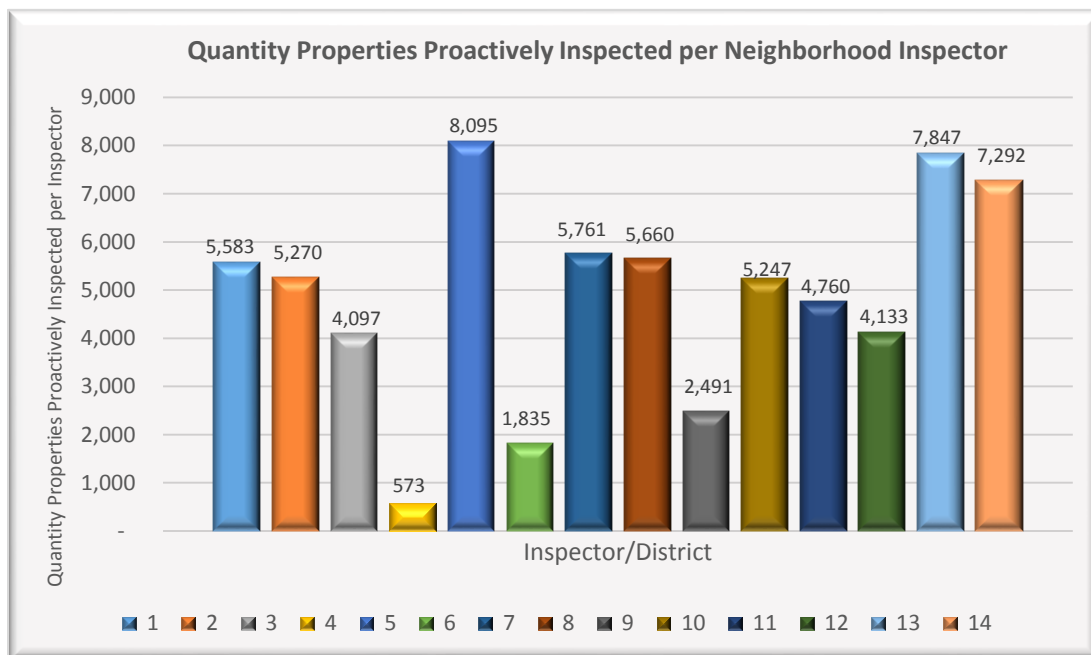
Source: Code Compliance CRM

Note: IA did not consider inspector #4 with any weight in the analysis because the inspector had less than five months' worth of data available due to position hire date. Inspector #3 covered the district for the portion of the audit scope before inspector #4 was hired. The data did not allow for extrapolation of inspector #3's data to apply to inspector #4's district. Also note, from October 2016-December 2016, the district lines for district #4 were slightly different from those that took effect for calendar year 2017.

- There was a large spread for the quantity of properties inspected among inspector districts, ranging from 1,835 to 8,095.

- The quantity of properties only included those that had at least one inspection. If the inspector did not inspect a property at all, IA would not be able to identify this from the data.

**Neighborhood Inspector Districts and Council Districts**
The neighborhood inspector districts correspond to the inspector numbers that are listed below and on all graphs in this finding.

Source: Code Compliance and GIS

Percent Neighborhood Proactive Inspections per Inspector Analysis
To further evaluate the quantity of properties proactively inspected, the following analysis was conducted to identify how many properties were less than, greater than, or equal to the goal of six proactive inspections per property.
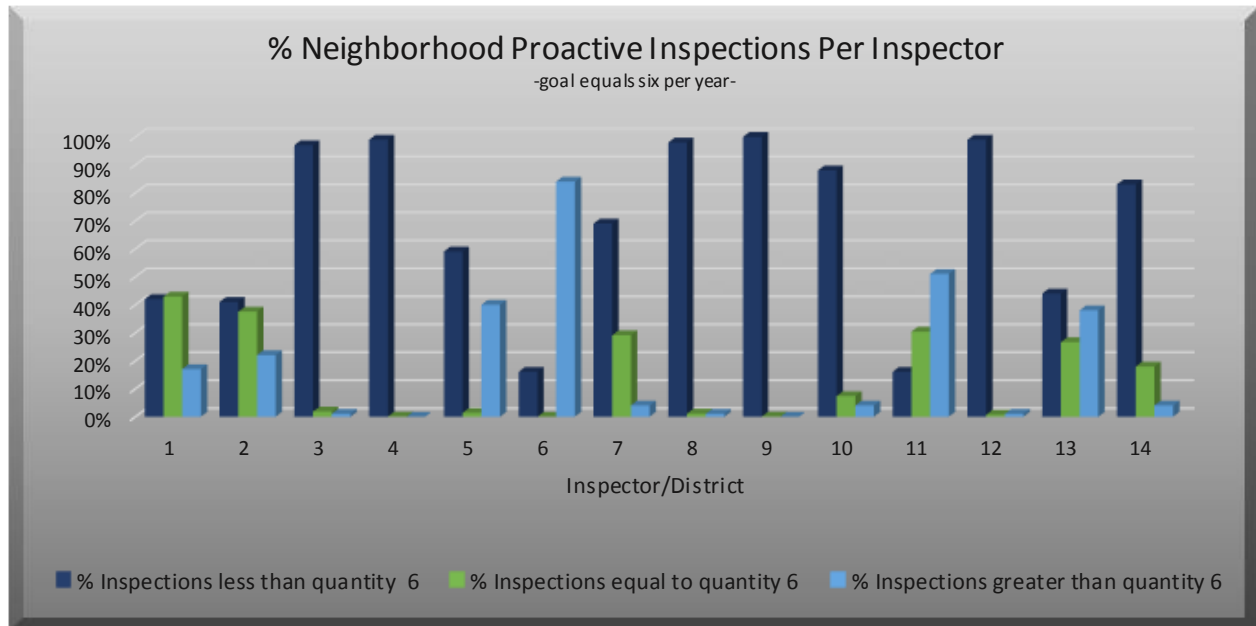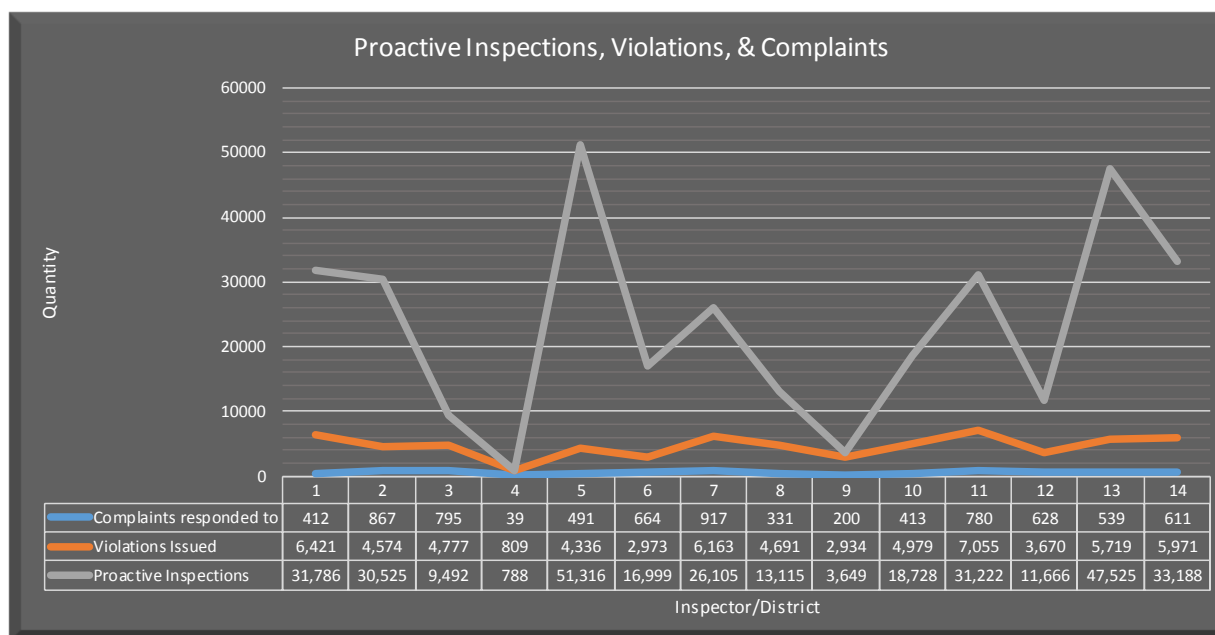

Source: Code Compliance CRM

- Based on the data entered in CRM, none of the inspectors met the six proactive inspections per property goal.

- 2 of 14 (inspectors 6, 11) had 16% of their properties inspected *less* than six times, 3 of 14 (inspectors 1, 2, 13) had under 50% of their properties inspected *less* than six times, and 4 of 14 (inspectors 3, 8, 9, 12) had over 90% of their properties inspected *less* than six times.

- Those inspectors that had a percentage over 15% for their properties inspected *greater* than six times (inspectors 1, 2, 5, 6, 11, 13) did not utilize their resources toward completing their six proactive inspections per property goal.

Proactive Inspections, Violations Issued, and Complaints Responded To Analysis

To further evaluate the relationship among proactive inspections, violations issued, and complaints responded to, the following analysis was conducted.

Proactive Inspections, Violations, & Complaints														
Inspector/District	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Complaints responded to	412	867	795	39	491	664	917	331	200	413	780	628	539	611
Violations Issued	6,421	4,574	4,777	809	4,336	2,973	6,163	4,691	2,934	4,979	7,055	3,670	5,719	5,971
Proactive Inspections	31,786	30,525	9,492	788	51,316	16,999	26,105	13,115	3,649	18,728	31,222	11,666	47,525	33,188

Source: Code Compliance CRM

- The quantity of proactive inspections was closely correlated to the quantity of violations issued. Four of the top five violation quantities by inspector also had the highest number of proactive inspections (inspectors 1, 11, 13, 14). Three of the five lowest violation quantities per inspector also had the lowest proactive inspections (inspectors 6, 9, 12).

- The increase in the quantity of complaints that an inspector had did not appear to decrease the number of proactive inspections or violations issued by the inspector. The top two complaints were ranked six and seven in proactive inspections (inspectors 2, 7)

- Since the inspector was already at the property addressing a complaint, it is possible in many cases that there were other violations that were identified at the same property. This was apparent with two of the five highest violations also having the highest complaints (inspectors 7, 11).

Commercial Proactive Inspections

IA learned through further discussion with Code that the Commercial division was not entering all of their proactive inspections in CRM. Therefore, IA was unable to evaluate the data conclusively.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)

- There are no formal and written standard operating procedures and policies in place regarding proactive inspections.

- Management has not developed a comprehensive tracking mechanism to evaluate proactive inspection performance.

- Performance measures for proactive inspections and the relation to property conditions, violations, and complaints have not been established.

- Commercial inspectors were not entering their proactive inspections in CRM when there was no violation present.

- Inspectors are not rotated into different districts on a regular basis.

CRITERIA (THE WAY IT SHOULD BE)

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 12.01, Implement Control Activities: Management should implement control activities through policies.

Attributes

The following attributes contribute to the design, implementation, and operating effectiveness of this principle:
- *Documentation of Responsibilities through Policies*
- *Periodic Review of Control Activities*

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in: Government Accountability Office (GAO) Green Book, Principle 16.04, Internal Control System Monitoring: Management monitors the internal control system through ongoing monitoring and separate evaluations. Ongoing monitoring is built into the entity's operations, performed continually, and responsive to change. Separate evaluations are used periodically and may provide feedback on the effectiveness of ongoing monitoring.

EFFECT (SO WHAT?)

- Without formal and written standard operating procedures, policies, tracking and evaluation of inspector performance, and meaningful performance measures in place, management may not able to obtain an accurate view of the department's areas for improvement such as those inspectors that may be underperforming or areas in which operational efficiencies can be improved upon.

- If inspectors are not entering their proactive inspections in CRM, management cannot conduct accurate data analysis or evaluate inspector performance using proactive inspection data.

RECOMMENDATION

Code Management should:

1) Implement formal and written policies for the following:
   - Inspector rotation schedule
   - Allocation schedule based on property conditions as mentioned in Finding #1.

2) Track and evaluate the following performance measures monthly:
   - Proactive inspections (meeting a reasonable goal)
   - Performance measures for each inspector and division. These performance measures can then be analyzed against industry standards.
   - Ensuring all proactive inspections are entered in CRM.

MANAGEMENT RESPONSE

1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation and employs such practices.

ACTION PLAN

1) Update and/or redraft formal written policies and procedures for inspector rotation and dynamic allocation of resources based on condition of neighborhoods.

2) In conjunction with Finding #1, Recommendation #2, performance measures will be developed to track suggested metrics based on the City Council's desired level of service. Comprehensive entry and tracking of proactive inspections will be verified by supervisors using CRM or alternate means.

IMPLEMENTATION DATE

1) Dependent upon Council's direction.

2) New or modified performance measures will need to be addressed in CRM upgrades. Proactive inspection tracking will be implemented by end of last quarter 2018.

CONDITION (THE WAY IT IS)

CRM Report
IA exported from CRM, the Property Inspection-Reinspection report for the dates within the scope of the audit, October 1, 2016 through December 31, 2017. IA identified reinspections for the following violations not documented in CRM.

- 256 Life Safety violations
- 509 Critical violations
- 3,745 Non-Critical violations
- 79 Life Safety, 93 Critical, and 456 Non-Critical violations resulting from comprehensive inspections

Through further inquiry with Code, most of the reinspection details were kept out of CRM on manual documents. Due to the fact that not all reinspections were entered into CRM, IA could not calculate reinspection timeliness for the entire population.

To verify the timeliness of reinspections, IA sampled 20 individual reinspections from CRM and sampled 20 complexes from manual Code documents.

CRM Reinspection Sample

IA pulled a sample of 20 individual reinspections documented in CRM to determine the amount of time from initial inspection to reinspection and compliance. From our sample of 20 reinspections, there was an average of 101 days from inspection to reinspection which encompassed 24 Life Safety, 20 Critical, and 40 Non-Critical violations. According to CRM, a separate reinspection was not conducted based on the compliance time frames per violation type per the Code of Ordinances. As an example, for one of the reinspections, there was 1 Life Safety, 2 Critical, and 2 Non-Critical violations, and according to CRM, the reinspection date was the same for all of the violations and all of them were 143 days late.

Manual Document Reinspection Sample

For those reinspections not entered into CRM, the inspector takes the initial inspection reports to the property and manually marks off the inspection report that a reinspection was completed, with a check mark, for instance. Not all inspectors documented the dates on which reinspections were conducted or whether those violations that had yet to be abated had an additional reinspection conducted and the date on which it was completed. In addition, many reinspection dates given to IA were pulled off of the inspector's Outlook calendars by Code and were not documented on the physical inspection documents.

IA sampled 20 of 225 complexes utilizing the physical inspection reports that the inspectors manually mark off for reinspections. Two complexes had unknown reinspection dates, one of which was due to missing documentation, therefore, the following reinspection times are based upon 18 complexes.

Life Safety, Critical, and Non-Critical Violations Reinspection Times
There were a total of 1,307 violations among the 18 complexes. The following is IA's best estimate as to the number of days from initial inspection to the first reinspection due to the lack of clear and accurate documentation. Because the following only takes into consideration the first reinspection, it is not indicative of compliance, since there were many violations with multiple reinspections before compliance (Exhibit I):

Days from Initial Inspection to 1st Reinspection					
24-Hour Compliance		72-Hour Compliance		30 Day Compliance	
Life Safety		Critical		Non-Critical	
0-24 hours	0	0-72 hours	20	0-30 days	46
3-5 days	24	5 days	4	31-60 days	460
6-30 days	3	6-30 days	6	61-90 days	179
31-60 days	61	31-60 days	65	91-180	302
61-90 days	2	61-90 days	41	181+	49
91-180	25	91-180	19		1,036
181+	1	181+	0		
	116		155		

Source: Code Compliance, Code Compliance Outlook and Code Compliance CRM
2 Life Safety and 6 Non-Critical violations with no reinspection dates documented.
1 complex with missing documentation.

- 0 of the 116 Life Safety violations were reinspected within the 24-hour compliance time frame.

- 20 of the 155 (13%) of the Critical violations were reinspected within the 72-hour compliance time frame.

- 46 of the 1,036 (4%) Non-Critical violations were reinspected within the 30-day compliance time frame.

The reinspection time frames were well beyond the compliance dates both in CRM and on the physical inspection report documents. Due to IA not having concrete data, or in some cases not having data at all, reinspection time frames were estimates based on the information IA had.

Reinspection Fees
According to the Code of Ordinances, there should be a reinspection fee assessed for the third and each subsequent reinspection. Reinspections were not being tracked, and Code could not find any instances in which they charged reinspection fees. However, based on the

reinspections IA estimated, there were many violations that had three or more reinspections (Exhibit I).

Possible Additional Violations
- IA also noticed there were many violations grouped together on the Inspection Summary reports as one violation even though the violations were required to be reinspected separately. For example, "Repair or remove dishwasher" and "Repaint peeling paint throughout bathroom and tub enclosure" were considered one violation but marked off on the inspection report as separate reinspections.

- The following are additional violations that were grouped with others, and that IA considers as possible separate violations based on separate reinspections conducted.

  - 14 Life Safety
  - 1 Critical
  - 137 Non-Critical

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)
- There is no mechanism for monitoring and tracking the violations that exist and the compliance time frames for those violations to be abated. Additionally, there was a lack of clear documentation by management and the inspectors.

- There are no comprehensive written standard operating procedures, policies, and training program in place for the MF inspectors, nor are there performance measures being consistently tracked and evaluated.

- CRM is not configured in a way that efficiently allows the MF division to enter their inspections and reinspections.

- An effort was not made to assess reinspection fees for the third and subsequent reinspections.

CRITERIA (THE WAY IT SHOULD BE)
- According to Chapter 32, Sec. 32.02 (F) of the Code of Ordinances, MF violations are classified as either life safety, critical, or non-critical.

  - Life safety violations have a 24-hour compliance time frame.
  - Critical violations have a 72-hour compliance time frame.
  - Non-critical violations have a 30-day compliance time frame.

  All reinspections should be done timely based on the seriousness of the violations identified.

- According to Chapter 32, Sec. 32.07 (F)(4) of the Code of Ordinances, the property owner shall be charged a one-hundred dollar ($100.00) reinspection fee for the third and each

subsequent reinspection for each dwelling unit in which a previously noted but uncorrected violation exists.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 13.05, Data Processed into Quality Information: Management processed the obtained data into quality information that supports the internal control system. This involves processing data into information and then evaluating the processed information so that it is quality information…Quality information is appropriate, current, complete, accurate, accessible, and provided on a timely basis…Management uses the quality information to make informed decisions and evaluate the entity's performance in achieving key objectives and addressing risks.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 3.10-3.11, Documentation of the Internal Control System:

3.10 Effective documentation assists in management's design of internal control by establishing and communicating the who, what, when, where, and why of internal control execution to personnel. Documentation also provides a means to retain organizational knowledge and mitigate the risk of having that knowledge limited to a few personnel, as well as a means to communicate that knowledge as needed to external parties, such as external auditors.

3.11 Management documents internal control to meet operational needs. Documentation of controls, including changes to controls, is evidence that controls are identified, capable of being communicated to those responsible for their performance, and capable of being monitored and evaluated by the entity.

EFFECT (SO WHAT?)

- If management is not monitoring and clearly documenting all violations, they are not aware of how many open violations exist and the time frame for reinspections and compliance. In addition, performance of the complex in abating the violations cannot be measured if the inspectors are not conducting reinspections according to the compliance time frames in the Code of Ordinances and on their notices to the complex.

- If reinspections are not being conducted timely or at all, the amount of time that the violations are left unattended may affect the quality of life of the residents.

- If the complex is aware that reinspections are not conducted in a timely manner, they may not take the inspection report compliance dates seriously and consequently not abate the violations within the time frame stated on the inspection report.

- Furthermore, if the complexes are not being charged reinspection fees for violations, there is not an additional incentive to abate the violations.

- If violations are not separately documented, a violation may stay open for an extended amount of time, thus overstating reinspection times and understating the quantity of complexes requiring comprehensive inspections. For instance, if four violations are grouped as one violation and two have been abated, the violation as it is currently documented, will stay open until the remaining two violations have been abated.

RECOMMENDATION

Code Management should:

1) Monitor and clearly document violation quantities and reinspection dates for each violation to verify all reinspections are conducted in a timely manner according to the compliance date given to the complex. Until CRM can streamline this data for the MF division, all steps should be taken to ensure this data exists in an alternate electronic format if unable to produce the data from CRM. This information should also be used as a basis for sending to senior management for dashboard reports.

2) Implement formal and written standard operating procedures, polices, and training manuals for the MF division regarding the inspections, reinspections, other job duties, and performance measures.

3) Re-evaluate the Code of Ordinances to determine whether reinspection fees for the third and each subsequent reinspection is sufficient or if it needs to be updated to start charging at the first or second reinspection.

4) Re-evaluate the system used to account for individual violations versus grouping multiple violations.

5) Consider streamlining CRM to have user-friendly capabilities and reporting functions for the MF division like neighborhoods and commercial has.

MANAGEMENT RESPONSE

1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation.

3) Code Compliance concurs with this recommendation.

4) Code Compliance concurs with this recommendation.

5) Code Compliance concurs with this recommendation.

ACTION PLAN

1) Code Compliance has requested funding for CRM updates that would include time-based reporting. Management will reevaluate current alternate electronic forms and seek improved tracking measures for re-inspections during the interim.

2) Code Compliance will update and or redraft policies and procedures for established performance measures. Managers will continue to discuss expectations and performance measures with employees during team meetings and one-on-one counseling sessions. CRM workflows should incorporate multifamily inspection processes.

3) The re-inspection fees are dictated by the City's Ordinance. Code Compliance will research other programs for possible improvements with specific review on effectiveness of reinspection fees.

4) Code Compliance will review current system of grouping violations compared to segregating individual violations. Potential options or solutions will be delivered to management.

5) In conjunction with #1 above, Code Compliance will request CRM updates that will allow more user-friendly capabilities and reporting functions. These updates would make the Multifamily system similar to the current neighborhood and commercial functionality.

IMPLEMENTATION DATE
1) Code Compliance will have alternate electronic forms implemented by January 2019.

2) Code Compliance meetings and one-on-one counseling sessions are ongoing and will continue. Code Compliance will develop workflows and develop SOPs upon the conclusion of ordinance revisions, if any.

3) Code Compliance will complete research by January 2019.

4) Potential options or solutions will be delivered to management by end of first quarter of 2019.

5) This will be addressed in CRM upgrades. Code Compliance is currently working with ITS to evaluate data entry inefficiencies.

CONDITION (THE WAY IT IS)

MF Manual Documentation

IA's review of MF records found that they kept five different documents to manually tabulate items such as inspections, reinspections, and the quantity and type of violation. MF also entered some of this data into CRM. The documents and reports are as follows, and if tabulated correctly all should reconcile:

- Tick Sheets (one page piece of paper)
  - Each of the three MF inspectors keeps a separate tick sheet with a running tally for the month, for example, of complaint inspections, complaint reinspections, and interior inspections.
  - The inspectors manually write everything down in a notebook when they conduct inspections and then tally the quantities on the tick sheets.
  - The three tick sheets are then tallied each month to obtain quantities for the Monthly Summary spreadsheet kept by MF.
- Monthly Summary spreadsheet
  - Keeps the running tally of the tick sheets.
  - MF sends to the Code Director and Code Administrator.
- Inspection Summary reports
  - After the inspection for a complex is complete and is entered into CRM, an Inspection Summary report is printed.
  - Lists the quantity of inspections (exterior inspections and unit inspections) and the quantity of each violation type.
  - Manually quantified monthly to enter into the Violation spreadsheet
- MF Assignments & Violation spreadsheet
  - These are two separate spreadsheets, and the MF Assignments information is duplicated in the Violation spreadsheet, so for the purposes of simplicity, it will be referred to as Violation spreadsheet to encompass both.
  - The Violation spreadsheet tabulates the quantity of complexes, buildings, and units; required and actual inspections; and the quantity of violations by type to be updated monthly.
  - It lists each complex, address, and the responsible inspector.

Reconciliation Differences

MF management changed in November 2016, therefore tick sheets were only available from November 2016 through December 2017 instead of the scope of the audit which also includes October 2016. Therefore, the following figures are based on 14 months instead of 15 months. IA identified many errors when reconciling the MF reports, as follows.

- Tick Sheets and Monthly Summary report
  - 7 of 14 (50%) months had errors when reconciling
  - 13 of 224 (5.8%) totals (16 totals on each month's Tick Sheets to reconcile to the Monthly Summary report-totals include items such as quantity exterior and interior inspections and the quantity of each violation type) that existed on the reports contained reconciliation errors, and the 13 totals accounted for quantity differences of 755.

- Monthly Summary report and Violation spreadsheet
  - Totals for Interior Inspections Conducted, Life Safety Observed, Critical Observed, and Non-Critical Observed violations did not reconcile.
  - Interior inspections conducted on the Monthly Summary report totaled 2,589 and did not reconcile to the Violation spreadsheet that totaled 2,263 for a difference of 326 interior inspections for calendar year 2017.

- Inspection Summary report and Violation spreadsheet
  - IA sampled 10 complexes from a population of 225 complexes in the Violation spreadsheet (Exhibit A) that indicated the required inspections equaled the actual inspections conducted.
  - 4 of the 10 properties had different counts on the Violation spreadsheet than on the Inspection Summary reports generated from CRM, accounting for 13 more units inspected among 4 different complexes, on the Inspection Summary reports in CRM.
  - Per the Violation spreadsheet, the actual number of units inspected was below the required number of inspections that MF was to conduct within a year, for a difference of 55 units among 10 complexes. Based on IA's analysis of Inspection Summary reports and a conversation with Code, IA's numbers were 11 units among 7 complexes. Due to data integrity issues among the reports, the accuracy of these numbers may be compromised.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)
- Data generated from one of Code management's manual reports indicates that not all of the required reinspections were conducted. The use of both manual and electronic documents created inaccuracies among reports.

- Inspectors were not entering all of their inspection data in CRM.

- Reports used by MF were not being reconciled, CRM functionality is not fully utilized to keep accurate and timely record-keeping, and CRM configuration for MF is not user-friendly from an efficiency perspective.

CRITERIA (THE WAY IT SHOULD BE)

- Per Code policy, all required interior inspections should be conducted each calendar year.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 13.04, Relevant Data from Reliable Sources: Reliable internal and external sources provide data that are reasonably free from error and bias and faithfully represent what they purport to represent.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 16.04, Internal Control System Monitoring: ...Ongoing monitoring may include automated tools, which can increase objectivity and efficiency by electronically compiling evaluations of controls and transactions.

EFFECT (SO WHAT?)

- If all required interior unit inspections are not being conducted, violations that may exist will not be documented to have them abated. In addition, the inspectors are not meeting the performance goal set for them. The manual processes may contribute to inconsistencies in reporting, and thus inaccurate data presented to management.

- If the manual reports are being relied upon to calculate the representative sample for the following year, the calculation may be incorrect due to discrepancies between the manual reports and CRM.

- Due to processes not being implemented and streamlined in CRM to eliminate manual procedures, there may continue to be an increased level of inefficiency, inconsistency in reporting, inaccurate data presented to management, and a significant amount of time and resources allocated to MF inspections.

RECOMMENDATION

Code Management should:

1) Streamline CRM to fully utilize its functionality, eliminate manual processes, and promote efficiency in the MF division.

2) Develop an alternate mechanism to maintain, monitor, and evaluate inspection data until CRM is streamlined.

3) Identify why the required number of interior inspections was not completed and resolve any issues that exist.

4) Evaluate whether the Tick Sheets, Monthly Summary reports, and Violation spreadsheet are necessary to operational needs.

5) Ensure all required reports are reconciled monthly to identify and resolve discrepancies.

MANAGEMENT RESPONSE
1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation.

3) Code Compliance concurs with this recommendation.

4) Code Compliance concurs with this recommendation.

5) Code Compliance concurs with this recommendation.

ACTION PLAN
1) In conjunction with Finding #5, Recommendation/Action #1, the department will strongly request expedited updating and upgrading of CRM to provide more functionality and automate the entire Multifamily license and inspection program.

2) Once CRM is updated and enhancements are complete, manual spreadsheets will not be necessary and will be automated in the system. This will remove human error and reduce such occurrences. Until automation is complete, Department will find alternate means to track and evaluate inspection data.

3) Code Compliance will review system setup and overall procedures to resolve required proactive inspection counts and scheduling.

4) In conjunction with Finding #5, Recommendation/Action #3, program evaluation and comparison should highlight any best practices that could be incorporated into Multifamily Program.

5) Formal written policies will be drafted and implemented to identify and resolve discrepancies until processes can be automated in CRM.

IMPLEMENTATION DATE
1) This will be addressed in CRM upgrades.

2) This will be addressed in CRM upgrades. Alternate tracking methods will be employed by September 2018.

3) Code Compliance will review and implement by January 2019.

4) Code Compliance will review and implement by the end of first quarter 2019.

5) Policies will be drafted by the end of first quarter 2019.

CONDITION (THE WAY IT IS)

Current year's license fee not paid, incomplete application, and/or current application not received.

As of March 19, 2018, according to the report in CRM, the following 12 complexes either had incomplete applications, had not paid the current year's license fees and/or turned in their current application, so IA pulled the applicable documentation. Year 2017 applications and license fees were due by December 31, 2016 and year 2018 applications and license fees were due by December 31, 2017.

Address	License Paid 2017/2018?	Late Fee Paid 2017/2018?	Application Complete 2017/2018?	Smoke Detector Verification on File 2017/2018?	Pest Control on File 2017/2018?
1	Y/Y	Y/Y	Y/N-pest control	Y/Y	Y/N
2	Y/Y	NA/Y	Y/N-no pest control	Y	Y/N
3	N/N	N/N	N-2017 no app/N-2018 no app	N/N	N/N
4	Y/Y	Y/Y	Y/N-no buildings or units	Y	Y
5	Y/N	NA/N	Y/N-no app	Y/N	Y/N
6	Y/Y	NA	Y/N-pest control	Y/Y	Y/N
7	Y/Y	NA	Y/N-addendum	Y/Y	Y/N
8	Y/Y	NA/Y	N-pest control/N-addendum	Y/Y	N/N
9	Y/Y	NA	N-pest control/N-pest control	Y/Y	N/N
10	Y/NA	NA/NA	N-pest control/NA	Y/NA	N/NA
11	Y/Y	N/N	N-late fees/N-late fees, pest	Y/Y	Y/N
12	Y/Y	NA/N	Y/N-wait late fees	Y/N	Y/N

Source: Code Compliance CRM

- There were 12 complexes from a population of 225 (for years 2017 and 2018, this accounts for 24 licenses and 24 applications).
  - o Licenses and late fees
    - 3 of 24 licenses were not paid for in 2017 and/or 2018.
    - 6 late fees had not been paid for the years 2017 and/or 2018.
  - o Applications
    - 16 of 24 applications had an incomplete status or no current application.
    - 4 of 24 instances of no smoke detector verification in CRM.
    - 14 of 24 instances with no pest control in CRM.
    - Miscellaneous clerical issues on the documents.

Comprehensive Inspection Surcharge Fees and Applications

The following complexes are those that required a comprehensive inspection in 2017, and were therefore required to pay a surcharge fee that equated to half of the license fee and was due at the same time as the application and license fee by December 31, 2017. The previous year's applications were also reviewed for accuracy (18 applications and 18 licenses in total), since IA had found discrepancies on the applications for the 12 complexes mentioned above. The following nine complexes are separate and different from the 12.

Address	Surcharge Paid for 2018 application?	Application Complete 2017/2018?	Smoke Detector Verification on File 2017/2018?	Pest Control on File 2017/2018?
1	Y	Y/Y	Y	Y
2	Y	N-pest control/N-pest control	Y	N/N
3	N	N-pest control/N-pest control	Y	N/N
4	Y	N-pest control/N-pest control	Y	N/N
5	Y	Y/N-pest control	Y	N/Y
6	Y	N-pest control/N-pest control	N/N	N/N
7	N	N-pest control/N-pest control	Y	N/N
8	N	N-pest, smoke/N-surcharge	N/Y	N/Y
9	N	Y/N-pest control, surcharge	Y	Y/N

Source: Code Compliance CRM

- o Surcharge Fees
  - There were nine complexes that had a comprehensive inspection completed on the complex and thus required to pay a surcharge fee.
  - Four of the nine complexes had unpaid surcharge fees.
  - Invoices are not created unless requested by the MF complex.
- o Applications
  - 14 of 18 applications were incomplete.
  - 3 of 18 instances of no smoke detector verification on file.
  - 13 of 18 instances with no pest control on file.
  - Miscellaneous clerical issues on the documents.

Items noted during IA's review of applications
- All licenses, issued for display to the complexes, had an approval date on the license as of the first of the year even if the license was not approved until a later date.

- On some of the applications, there was no back-up emergency contact information in addition to the complex information.

- The MF division is responsible for placing an alert in CRM when a complex has had a comprehensive inspection, so BO is made aware that a surcharge fee (half the license fee) is to be charged. Code let IA know at a later date that CRM does not allow them to accept payment for a fee that is less than $50, so a workaround was created in which a generic payment was set up at Code's address of business in order to process the payment. Code emailed IA receipts for two payments that appeared to be unpaid, but it was not indicated anywhere on the receipt as to what complex the receipts pertained to. Furthermore, notes did not exist in CRM for traceability from payment to the complex. Consequently, CRM appeared to have six unpaid surcharge fees instead of four.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)
- There are no comprehensive written policies and procedures to ensure the applications are complete and accurate.

- All applications were not complete and/or accurate or fees not received in compliance with the Code of Ordinances before a license was issued to the complex.

- Surcharge fees and late fees, that appeared to be uncollected but existed elsewhere in CRM, due to the fees field not accepting payments less than $50, did not have notes in CRM for traceability purposes.

- CRM is not streamlined for automatic notification to BO when a complex has had a comprehensive inspection, and the field used to collect fees does not allow for payments under $50.

- Invoicing was not considered as part of the MF license process.

CRITERIA (THE WAY IT SHOULD BE)
- According to Chapter 32, Sec. 32.07 (B) of the Code of Ordinances, an unsigned or incomplete application will not be processed. Also, according to this section of the ordinance, the application shall require the following, in addition to the standard name, address, and various contact information:

  - Payment in full of the required multifamily license fee.
  - Certified copy of ownership designation.
  - Proof of the current fee ownership of the tract of land on which the multifamily dwelling is or will be located in the form of a copy of the recorded vesting deed.
  - The zoning category or categories of the land on which the multifamily dwelling is or will be located.
  - The number of dwelling units to be licensed under the multifamily license, specifying the number of efficiencies, one bedroom, two bedroom, three bedroom, or four bedroom dwelling units; the floor area of habitable space in each unit; and the floor area habitable space in each bedroom.
  - The applicant shall submit evidence with the application that the multifamily dwelling has been treated for insects, rodents, and vermin within the preceding six (6) months by a person licensed under the Texas Structural Pest Control Act.
  - The applicant shall certify that each multifamily dwelling unit for which the application is submitted is equipped, in accordance with properly working smoke alarms.

- In addition, Code's MF application requires the emergency locator directory to be completed.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 3.10-3.11, Documentation of the Internal Control System:

3.10 Effective documentation assists in management's design of internal control by establishing and communicating the who, what, when, where, and why of internal control execution to

personnel. Documentation also provides a means to retain organizational knowledge and mitigate the risk of having that knowledge limited to a few personnel, as well as a means to communicate that knowledge as needed to external parties, such as external auditors.

3.11 Management documents internal control to meet operational needs. Documentation of controls, including changes to controls, is evidence that controls are identified, capable of being communicated to those responsible for their performance, and capable of being monitored and evaluated by the entity.

- According to Chapter 32, Sec. 32.07 (E) of the Code of Ordinances, the license fee is $13.00 per dwelling unit, with a minimum fee of $50.00, and is prorated based on the application date if it is for a new license.

- According to Chapter 32, Sec. 32.07 (F)-(G) of the Code of Ordinances, all complexes are inspected on a representative sample basis, no less than annually. If the representative sample returns more life safety or critical violations than the quantity of dwelling units inspected, there will be a comprehensive inspection scheduled and conducted. This, in turn, requires a surcharge fee to be paid by the complex for half of their license fee, in addition to their annual fee, at the time of the next license renewal.

EFFECT (SO WHAT?)
- If there are no policies and procedures in place to ensure accurate and complete applications, and if complexes are continually allowed to submit incomplete applications, and they are not held accountable, they may get the impression that they do not have to be held accountable in other instances, such as violations and late fees.

- More importantly, if smoke detector verifications and pest control forms are not on file as proof, residents may not only be living in subpar conditions, but this may be putting their lives at risk.

- If there is no additional emergency contact information available besides the owner's, there may be nobody available in the case of an emergency.

- If an invoice is not created when payment is owed for fees, unpaid fees may go unnoticed and uncollected.

RECOMMENDATION
Code Management should:

1) Evaluate enforcement efforts available to those complexes that do not pay their fees or turn in a current application.

2) Conduct a cost-benefit analysis for the MF application process and fee collection processes to be automated through the website. If cost effective, non-MF processes such as permitting and other fee collections should also be automated in this manner.

3) Ensure MF applications are complete and accurate according to the Code of Ordinances before approving an application and issuing the complex a license. A formal and written standard operating procedure should be implemented along with training for those items not covered in the Code of Ordinances.

4) Consider adding an additional field for "secondary emergency contact" on the Emergency Contact Information form.

5) Ensure the "date approved" portion of the license is removed, so the license states the year of the license but not the date approved.

6) Continue to work with IT to change the field that is used for fee collection to enable amounts under $50 to be collected. Until IT is able to do so, BO should document clear notes as to where proof of payment exists and document it in the notes field on the receipt as to what the payment pertains to.

7) Consider generating invoices for MF licenses and fees.

MANAGEMENT RESPONSE
1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation.

3) Code Compliance concurs with this recommendation.

4) Code Compliance concurs with this recommendation.

5) Code Compliance concurs with this recommendation.

6) Code Compliance concurs with this recommendation.

7) Code Compliance concurs with this recommendation contingent upon a CRM enhancement.

ACTION PLAN
1) In conjunction with finding #5 recommendation/action #3, Code Compliance will review and evaluate best practices that encourage prompt payment of multifamily fees.

2) Code Compliance will explore fee collections with ITS to see if this can be implemented via the Digital Government web portal. Code Compliance included a web portal feature in the CRM enhancement project request for FY 2019.

3) Update and/or redraft policies and procedures to provide adequate documentation for staff to determine multifamily application completeness and multifamily fee structure.

4) The application will be updated to reflect this suggestion for an OPTIONAL alternate contact.

5) Code Compliance has submitted an IT ticket to have this removed.

6) Code Compliance has met with, and continues to meet with ITS on this issue. The work around was put in place by Code Compliance for the 2017 license process due to CRM limitations. Until implementation, management will ensure proper documentation of fee collection and tracking.

7) Code Compliance will consult with ITS to determine if this can be implemented into CRM. If this cannot be implemented, Code Compliance will continue to use the application renewal to collect fees and send notification for any other miscellaneous fees due.

IMPLEMENTATION DATE
1) End of first quarter 2019.

2) Dependent on ITS and funding.

3) Code Compliance will complete by January 2019.

4) Code Compliance will update the application for this change within the next registration cycle.

5) Dependent on ITS.

6) Dependent on ITS.

7) Dependent on ITS for implementation of invoicing through CRM.

Data Entry

All eAssist complaints were exported from Accela to obtain the total quantity for the scope of the audit and to reconcile to the total complaints in CRM that were initiated by eAssist. When entering the complaint into CRM, the unique eAssist number assigned to the complaint is typed by BO into the directions field in CRM. The directions field gives the inspector more information as to the complaint location if a specific address is not given (e.g. at the intersection of Main and 1st). IA could not easily extract single family complaints from Accela, so the entirety of the eAssist complaints were exported and reconciled to the entirety of eAssist initiated complaints entered in CRM.

- 811 eAssist complaints were exported from Accela, and CRM had 624 eAssist initiated complaints.

- IA identified 45 eAssist initiated complaints that did not have an eAssist number entered in CRM, so it was not possible to reconcile all complaints initiated through eAssist to ensure all had been entered into CRM.

- 25 eAssist complaints (Exhibit A) were sampled to reconcile the eAssist number back to CRM to verify if the complaints were entered into CRM. 2 of the 25 (8%) could not be reconciled. Originally, we found 7, however, 5 of them were legitimately not entered into CRM (e.g. one was not for Code and forwarded to the correct department, one was a repeat of another complaint, one a dispute among neighbors, one was inquiry only, last one was an internal Code matter). It is possible the complaints were entered into CRM, however, since all complaints did not have an eAssist number recorded, they could not be reconciled.

Quantity and Quality of Selections

There are currently four selections (Request Types) that an individual can choose from when initiating a complaint through eAssist, as seen below.

Source: eAssist/Accela

- IA reviewed the first 100 complaints (Exhibit A) from eAssist data to see how many of the descriptions entered by the individuals in eAssist matched one of the four Request Types available. Note that the search field can also be utilized in eAssist. At least 30 of the 100 (30%) sampled complaints from eAssist data had Request Types that did not match the description of the complaint typed in, presumably due to individuals filling in their own Request Type through the search field or selecting one that did not pertain to their complaint to push the complaint through, since there are only four options to select from.

- The quantity of Request Types to choose from in Code's eAssist is limited to four choices, not including the search field, therefore, many complaints were categorized incorrectly. The graphs below depict the top five complaints initiated by eAssist and what the top five complaints were after BO converted the eAssist complaints in CRM.
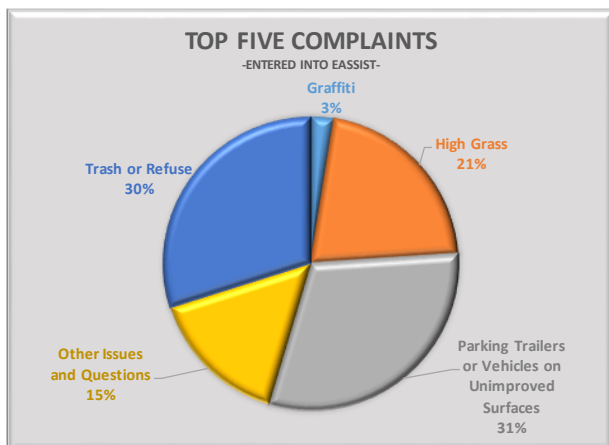
Source: Code Compliance CRM & eAssist/Accela

Response Time

| Complaint initiated in eAssist portal. | → 1.15 days → | eAssist complaint responded to. | → 0.01 days → | BO enters eAssist complaint into CRM. | → 0.93 days → | eAssist complaint inspected | = = | 2.09 days |
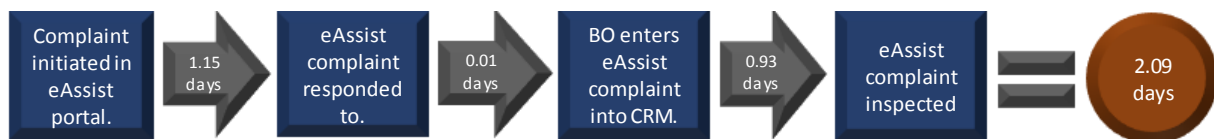
Source: eAssist/Accela and Code Compliance CRM

- Complaints initiated by eAssist had an average of 1.15 working days between the complaint being initiated and the complaint being responded to.
- From our sample of 25 (Exhibit A), IA used an approximate 15 minute (0.25 hours) window for the time between responding to the complaint and entering the complaint in CRM.
- The average working days from the complaint being entered into CRM to the complaint being inspected was 0.93 working days.
- 315 of 811 (39%) complaints in eAssist were over 24 hours for Code to respond to the complainant, with an average of 2.22 working days.
- 160 of 624 (26%) eAssist complaints in CRM were over 24 hours to inspect with an average of 2.30 working days.

It should be noted that this audit step was not for complaints that were not entered into CRM but rather the timeliness of the complaints, however, while selecting the 25 samples, a total of 38 complaints had to be reviewed, as 13 of the selected eAssist complaints were not in CRM. 8 of 38 (21%) were determined to be legitimate Code complaints not entered into CRM. If they were entered into CRM, they were not entered with an eAssist number for reconciling.

In CRM, there were 9,093 citizen complaints with an average of 0.95 working days, 244 Council complaints with an average of 0.11 working days, and 624 eAssist complaints with an average of 2.09 (1.15 + 0.01 + 0.93) working days from the complaint being initiated in eAssist to the complaint being inspected. The Council number may be understated since it appeared from the time stamps on the complaints (195 inspected within five minutes of the complaint) that many of the Council complaints were not being entered until right before they were inspected. A reason may be that the inspector received an email or phone call from the Councilmember, entered the complaint, and drove to the property to inspect immediately or did not enter the complaint until arriving at the property and then inspected.
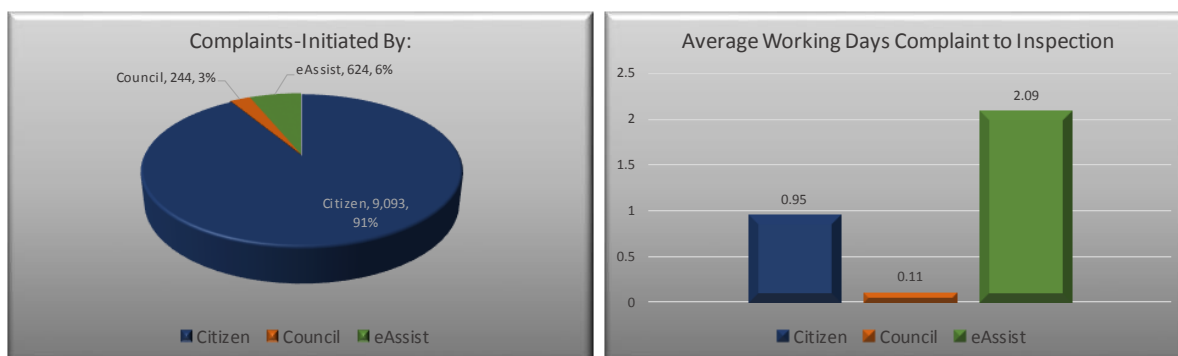
Source: Code Compliance CRM

It should be noted that IA could not tabulate what cases were initiated by a complaint versus proactive inspection to a 100% conclusive degree. It was witnessed on the inspector ride-along that when the inspector went to investigate a complaint, and an additional violation was identified, adding the additional violation onto the same case as the original complaint changed the case to Proactive for both violations even though the original violation was initiated by a complaint. It is unknown if that case was originally an eAssist complaint. Also unknown were the number of cases where this same circumstance has occurred.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)
- There is no interface between eAssist and CRM, therefore, all eAssist complaints are manually entered into CRM, by BO.

- Additionally, there are no formal and written policies and procedures in place for consistent data entry, reconciliation of complaints, or for training and accountability purposes.

    o All eAssist numbers were not entered into CRM.
    o Complaints were not reconciled by BO.
    o There are only four Request Types that currently exist in eAssist for an individual to select from. BO was manually filtering through the complaints to ensure the Request Type and the description filled out by the individual matched each other and making applicable changes when entering the complaint in CRM.
    o There were 1.16 average working days from complaint initiated in eAssist to complaint entered into CRM.

CRITERIA (THE WAY IT SHOULD BE)
The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 16.04, Internal Control System Monitoring: …Ongoing monitoring may include automated tools, which can increase objectivity and efficiency by electronically compiling evaluations of controls and transactions.

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 12.04, Documentation of Responsibilities through Policies: "…Management communicates to personnel the policies and procedures so that personnel can implement the control activities for their assigned responsibilities."

- All complaints should be inspected within Code's policy time frame of 24 hours.

EFFECT (SO WHAT?)
- Manual entry of data increases the risk of data entry errors. In addition, there is a risk that all emails originating from eAssist complaints may not be entered into CRM. Finally, this is an inefficient use of time and resources to re-enter all the data into CRM when it has already been entered into eAssist.

- If BO has to filter through the information to identify what the correct classification for the complaint most likely is in order to enter the complaint into CRM, this is an inefficient use of BO's time and resources.

- With an average of 1.15 working days from complaint to response in eAssist, plus the approximate 15 minute lag time between eAssist and CRM, eAssist initiated complaints were not inspected according to Code's policy of a 24 hour policy. If eAssist complaints are not responded to in a timely manner, this may discourage citizens from using the portal in the future since those complaints initiated outside of eAssist were responded to in 0.95 days.

- For those complaints received by the inspector via email or phone call, if the inspectors do not enter the complaint into CRM right away but instead wait until arriving at the property or when there is time to do so, the complaint response times will be understated.

- If the cases are not being accurately captured as to whether a violation was initiated by a complaint or proactive inspection, the data analysis will be skewed. In addition, the data will not give accurate performance analysis for the inspectors.

RECOMMENDATION
Code Management should:

1) Create a cost-benefit analysis to interface eAssist with CRM via a web portal similar to that being implemented for Building Inspections to increase the efficiency of BO's operations, to minimize data entry errors, and to help eliminate a significant amount of the 1.16 (1.15 + .01) average working days from an eAssist complaint being initiated to the time it is entered into CRM. It should be implemented in a way that directs the individual and allows for selection of the correct violation. The individual should be able to view a description of the ordinance or a brief portion of the ordinance to help ensure the complaint is legitimate (i.e. if the complaint is for high grass, specify that grass must be 12" or higher to qualify as a violation).

2) Review the quantity of selections in Code's section of eAssist to evaluate whether they should be expanded and whether an informative description should be added that details what a violation consists of until interfacing is possibly implemented.

3) Implement formal and written standard operating procedures and policies that:
   - Ensures complaints are entered into CRM at the point in which the complaint is received to obtain accurate analysis.
   - Ensures all eAssist numbers are entered into CRM and are reconciled on a weekly basis to ensure all complaints have been entered and assigned to an inspector.
   - Encompass the handling of case types.
   - Ensures consistency when entering eAssist complaints.
     - Up-to-date training records should be kept for performance accountability.

- o   All written policies and procedures should be reviewed on an annual basis for any changes that need to be made.
- o   All changes should be documented and the revision and date recorded on the procedure.
- o   Any changes made should then be communicated with all applicable personnel.

MANAGEMENT RESPONSE

1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation. Code Compliance envisions a system integration that allows citizens to enter complaints directly into CRM through a web portal or by using eAssist as a conduit to that web portal. However, staff will review eAssist capabilities to determine if expanded explanations are feasible and will review the viability of expanding the numbers of violations that can be reported in eAssist.

3) Code Compliance concurs with this recommendation.

ACTION PLAN

1) Request a cost benefit analysis to integrate eAssist complaints to track within CRM for Code Compliance.

2) IA seems to have confirmed the delay is caused by the two systems not being interfaced. Code Compliance will continue to meet with ITS to interface the systems at which time all eAssist service requests will be available in CRM. Department will review quality of descriptive text in eAssist and quantity of violation types in eAssist.

3) Ideally, the two systems will be interfaced to minimize the potential for human error. In the interim, a formal procedure will be updated and/or redrafted.

IMPLEMENTATION DATE

1) Dependent upon ITS and the outcome cost benefit analysis.

2) Interfacing of systems is dependent upon ITS. Review of eAssist violation entry descriptions will be completed by end of last quarter 2018. Review of quantity of eAssist property maintenance violations will be completed by end of first quarter 2019

3) The implementation of the ideal scenario is dependent upon ITS. However, an interim policy will be implemented by the end of the first quarter for calendar year 2019.

FINDING # ISS.9 – Citations in Which the Resident Complies within 14 days of Citation Issuance Are not Consistently Dismissed by the Inspector. (Obj. A)

CONDITION (THE WAY IT IS)

- 1,101 of 3,763 (29%) citations were complied by the resident within 14 working days, however, data shows that only 407 of 3,763 (11%) citations in Court were dismissed by the inspector by sending a Request for Dismissal to Court.

- According to Code, the inspector sends a Request for Dismissal to Court for those citations in which the resident calls Code either to let the inspector know they have complied or due to a hardship, for instance. If the resident does not call Code, the inspector does not dismiss the citation by sending a Request for Dismissal to Court, even if the inspector closes the violation due to the resident complying, and it is within 14 days of the citation issuance date, which is the allotted time given by Court.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)

Per Code, a Request for Dismissal is sent by Code if the defendant complies and calls Code and asks for a dismissal. A Request for Dismissal may also be sent if there was an error in the filing or as a request by administration. If the defendant does not call, even though the defendant may have complied within the time frame to be able to dismiss, Code does not send a Request for Dismissal to Court.

CRITERIA (THE WAY IT SHOULD BE)

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in OV3.06 Operating Effectiveness: In evaluating operating effectiveness, management determines if controls were applied at relevant times during the period under evaluation, the consistency with which they were applied, and by whom or by what means they were applied.

- Requests for Dismissal should be sent to Court in the same consistent and equitable manner.

EFFECT (SO WHAT?)

- If Code is sending a Request for Dismissal to Court for those citations in which the resident calls Code, this is not equitable or consistent treatment for the residents. The citation letter that accompanies the citation does not indicate that the resident may call Code to have their citation dismissed for compliance.

- Conversely, requiring the dismissal of a citation simply because a citizen complies may diminish the efficacy of the citation making it nothing more than another notice of violation.

RECOMMENDATION
Code Management should:

Re-evaluate the current practice of dismissing citations upon requests of citizens. Once a policy is developed, it should be applied consistently.

MANAGEMENT RESPONSE
Code Compliance concurs with the recommendation of re-evaluation of current practice. Citation dismissals are requested for many reasons and originate from many sources. Current practices have been developed over years of refinement taking into account citizenry needs, court processes, and desired level of services.

ACTION PLAN
Department will reevaluate policies on dismissal of citations. This policy will be applied consistently. This will also be discussed with City Council/Courts as part of the suggested enhancement to the citation/court process.

IMPLEMENTATION DATE
 Evaluation of citation policies will be completed by end of last quarter 2018 and incorporated into and, in conjunction with, Court enhancements.

CONDITION (THE WAY IT IS)

- IA identified four citation books issued within the scope of the audit that were returned but not signed off as inspected by BO. There was a fifth one on September 30, 2016, one day before the start of the scope that was also not signed off as inspected by BO.

- Two new citation books were issued prior to the inspector returning their completed ones.

- The inspector was allowed to check out another citation book before returning their previous citation book. IA also noticed that there were instances in which two books were being issued at one time to the same inspector.

IA then took Court's data and reconciled it to the citation books that had been checked out and signed off as returned to BO. Since each citation in the book technically has three citation numbers on it in case there are multiple violations, those were taken out of consideration as unaccounted for. For instance, if citation number Cxxxxx51 was in the Court's system, IA did not count Cxxxxx52 and Cxxxxx53 as unaccounted for. IA strictly looked for gaps in citation numbers based on three or more unaccounted for citation numbers. IA then categorized the unaccounted citations by inspector to identify any trends.

- 237 (79 with 3 citation numbers per) unaccounted citations among 12 inspectors.
- 78 of 237 (32%) of unaccounted for citations were from one inspector.
- 90 of 237 (38%) of unaccounted for citations were from another inspector, and 75 of the 90 citations included one entire book that was dated as signed back in by the inspector, however, it was never signed off by BO.

Also noted per Code, due to renovations at the Code department that started April 2018, inspectors are no longer able to lock offices for citation book safekeeping.

CAUSE (DIFFERENCE BETWEEN CONDITION & CRITERIA)

- There is no formal and written policy or procedure regarding the issuance and return of citation books.

- There is no reconciliation of the citation log book with Court data.

- Citation books are not locked up at all times.

- There is a lack of monitoring and review of the citation log book.

- The inspector is allowed to check out another citation book before returning their previous citation book.

CRITERIA (THE WAY IT SHOULD BE)

The Standards for Internal Control in the Federal Government issued by the Comptroller General of the United States, states in Principle 12.04, Documentation of Responsibilities through Policies: "…Management communicates to personnel the policies and procedures so that personnel can implement the control activities for their assigned responsibilities."

- There should be a formal and written standard operating procedure in place for BO and the inspectors regarding management review of the citation log book, monthly reconciliation with Court citation data, citation voids, and the issuance and receipt of citation books.

EFFECT (SO WHAT?)

- If all the citation books are not being signed off as okay by BO when returned by the inspector, there is no guarantee that BO checked the citation book for accuracy. In addition, if BO issues another citation book out to an inspector that has not turned in their last book, there is no accountability for the inspector, and this may lead to the possibility of loss, theft, or misuse.

- As in the previous paragraph, issuing out multiple citation books at one time may lead to a possibility of loss, theft, or misuse. The same is true if all citation books are not being locked up when not in the inspector's possession and all citations are not being reconciled to Court's data on a monthly basis.

RECOMMENDATION

Code Management should:

1) Implement a formal and written standard operating procedure for BO and the inspectors regarding management review of the citation log book, including monthly reconciliation with Court citation data, citation voids, and the issuance and receipt of citation books.

2) Review the citation log monthly and have it signed off by a supervisor or manager to ensure the accuracy of the log. All returned citation books should be signed off by BO, and inspectors should not be able to check out another citation book until their previous one has been returned and signed off as okay by BO. Furthermore, the citation book should not be signed off by BO until all voids have been documented with reasons.

3) Ensure one citation book is issued at a time to an inspector to keep as many unused citations locked up in safekeeping as possible to help minimize the risk of loss or theft. Due to renovations at the Code department that started April 2018, inspectors are no longer able to lock offices for citation book safekeeping, so there should be a protocol to ensure they are locked up every evening and when not in the inspector's possession.

MANAGEMENT RESPONSE

1) Code Compliance concurs with this recommendation.

2) Code Compliance concurs with this recommendation.

3) Code Compliance concurs with this recommendation.

ACTION PLAN

1) In conjunction with finding #5 recommendation/action #1, the department will strongly encourage expediting updates and enhancements that will integrate CRM with courts to eliminate citation books and make system streamlined. Funding for fiscal year 2019 was approved for ITS to automate the citation process. Department will reevaluate current procedures for citation reconciliation, voids, and distribution of citation books.

2) In conjunction with finding #5 recommendation/action #1, the department will strongly encourage expediting updates and enhancements that will integrate CRM with courts to eliminate citation books and make system streamlined. Funding for fiscal year 2019 was approved for ITS to automate citation process. Department will reevaluate current procedures for citation log books.

3) In conjunction with finding #5 recommendation/action #1, the department will strongly encourage expediting updates and enhancements that will integrate CRM with courts to eliminate citation books and make system streamlined. Funding for fiscal year 2019 was approved for ITS to automate citation process. Department will reevaluate current procedures for distribution of citation books and find a way to secure citation books while department is displaced from location.

IMPLEMENTATION DATE

1) Funding was approved for FY2019 and its completion date is dependent on ITS. Evaluation will be completed by end of last quarter 2018.

2) Funding was approved for FY2019 and its completion date is dependent on ITS. Evaluation will be completed by end of last quarter 2018.

3) Funding was approved for FY2019 and its completion date is depending on ITS. Evaluation will be completed by end of FY 2018.

Exhibit A – Sampling Methodologies

<u>Finding 1 - Timeliness of Violation Compliance</u>

Inconsistency among Handling of Violations and Cases

IA exported, from Code's CRM, the Violation Actions report. IA judgmentally selected cases that had citations on the cases and actions taken on the cases within the scope of the audit, and then randomly selected 115 samples from those to ensure cases were pulled that encompassed the full scope of what a case entails (e.g. NOV, FNOV, Door Notice, citation etc.) to gauge the consistency among cases and inspectors. This was done to give an even distribution to the chances a given sample was selected. For this test, IA then expanded to include actions taken on the cases through March 27, 2018 to obtain a broader spectrum of the case. IA analyzed the consistency of reinspections, citations issued, extensions granted, and overall inconsistencies that did not reflect the process flowchart. For analysis, reinspection is the time from one action to another action that involves the inspector physically going to the address and making a case change in CRM. IA created a pivot table from the sample to obtain the number of cases and violations within the sample. The extensive quantity of citations, cases, and extensions per address is not representative of the entire population since IA only sampled cases with citations, for consistency purposes. Therefore, the results cannot be projected to the entire population, but the results can be projected to those cases containing citations.

Reinspections not Timely

IA exported, from Code's CRM, the Violation Actions report. IA sorted by inspector (19 inspectors), and then randomly selected five cases per inspector to encompass Commercial, Neighborhood, and Multi-Family inspections for a total sample of 95 cases from a population of 64,075 cases. This was done to give an even distribution to the chances a given sample was selected. Each violation was analyzed to determine the reinspection time, in days. The results can be projected to the entire population.

<u>Finding 5 - Multi-Family Reinspection Timeliness and Reinspection Fees</u>

IA exported the Property Inspection Reinspection report from CRM. IA randomly selected 20 individual reinspections to determine the amount of time from initial inspection to reinspection and compliance. This was done to give an even distribution to the chances a given sample was selected. Results cannot be projected to the population due to all of the reinspections not being entered into CRM.

IA also randomly selected a sample of 20 complexes from a population of 225 complexes to look at the physical documents. This was done to give an even distribution to the chances a given sample was selected. Code informed IA at a later date that not all of the reinspections were in CRM but instead marked off on the physical inspection reports. Results cannot be projected to the population due to the MF documentation not being complete.

<u>Finding 8 - eAssist Complaints: Data Entry, Response Time, Quantity and Quality of Selections</u>

IA exported all eAssist complaints from Accela to obtain the total quantity for the scope of the audit and compared to the total eAssist complaints entered into CRM using the Complaint Cases report. IA randomly selected a sample of 25 of 624 eAssist complaints from the eAssist data to reconcile the eAssist number back to CRM to check for any that were not entered into CRM. This was done to give an even distribution to the chances a given sample was selected. The results can be projected to the entire population.

In a separate sample, we judgmentally selected the first 100 eAssist complaints from eAssist data to see how many of the Description fields matched the Request Type field. The first 100 were selected for efficiency purposes. The results can be projected to the entire population.

IA randomly selected 25 complaints from a population of 624 complaints from eAssist data to check that the Date Completed in eAssist was the same date the complaint was entered into CRM (Complaint Date. This was done to give an even distribution to the chances a given sample was selected. From IA's sample of 25, it was determined that 24 of the 25 complaints were responded to in Accela within 13 minutes of entering the complaint in CRM. Only one of them was lengthier at 3 hours and 49 minutes. This appears to be an outlier, so IA used an approximate 15 minute (0.25 hours) error rate window for the time between responding to the complaint in Accela and entering the complaint in CRM. The results can be projected to the entire population.

Exhibit B – Inconsistency among Handling of Violations and Cases

- For the 115 sampled cases (Exhibit A), there were 170 violations and 670 reinspections. 557 of the 670 (83%) reinspections were late by an average of 22 days. 107 of the 557 (19%) late reinspections were late 31+ days with 49 of those late 61+ days.

			Neighborhood & Commercial								
Quantity of Reinspections (not late)	% Reinspections (not late)		Average days overdue past the compliance days	Quantity of Reinspections (late)	% Reinspections (late)	Average days too early before compliance days	Quantity of Reinspections (early)	% Reinspections (early)	Total Reinspections	Total Violations
10	1.5%		22	557	83.1%	7	103	15.4%	670	170

Days Late	Qty		Days Early	Qty
1-10	270		1-10	74
11-20	126		11-20	23
21-30	54		21+	6
31-60	58			103
61+	49			
	557			

Source: Code Compliance CRM

- There were 376 citations issued and 314 extensions granted between October 1, 2016-March 27, 2018 in this sample of 115 cases. This equates to 3.27 citations per case and 2.73 extensions per case, in this time frame.

- Using the addresses from the 115 sampled cases, there were at least 333 additional cases that existed for these addresses, for a total of at least 446 cases among 115 addresses, for a ratio of approximately 3.88 cases per address. Approximately 10 of the addresses had only one case in the time frame audited.
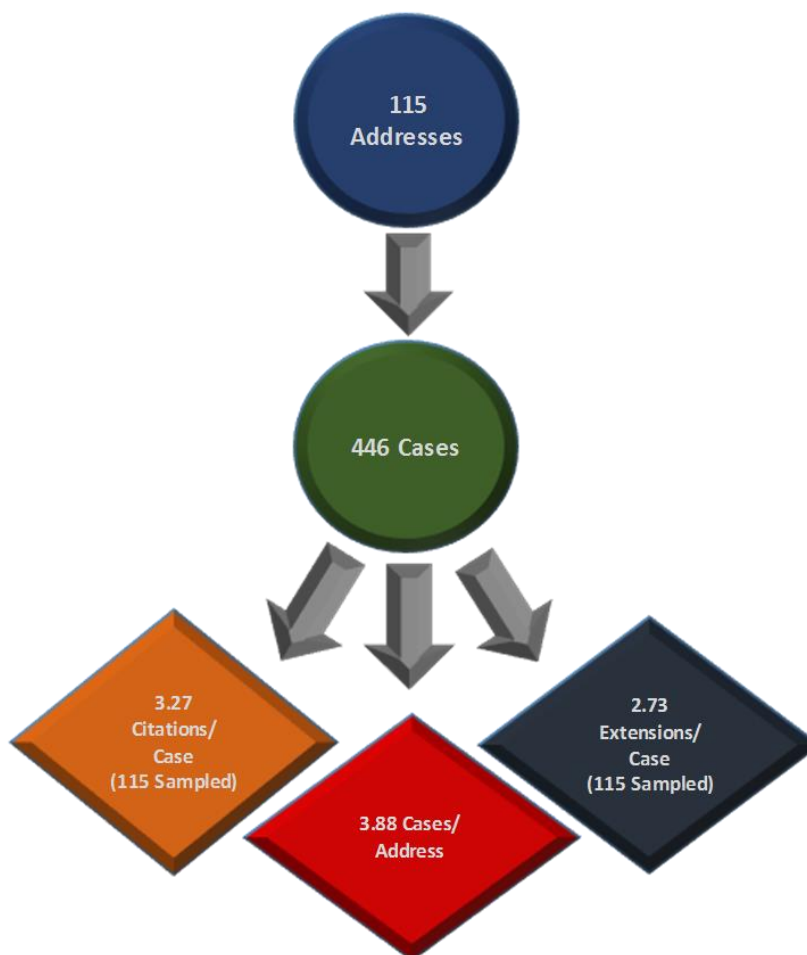
Source: Code Compliance CRM

- A representation of the main inconsistencies is listed below. The first section of tables shows inconsistencies for the same violation (left tables) and extended lengths of time since the last action on a case (right tables). The second section shows inconsistencies in comparison to the flowchart process.

Inconsistencies for the same violation and extended lengths of time with no action on a case:

Address Numbers					
Case	Case length	NOVs	FNOVs	Citations	Extensions
1	3 months	1	2	1	
2	2 months	1	1		
3	2 months	2	2	2	1

Length of Time No Action Taken	
Case	Length of Time
1	since 12/1/2017
2	3 months
3	since 2/1/2018
4	4 months
5	1 year
6	since 12/8/2017

Fence Maintenance					
Case	Case length	NOVs	FNOVs	Citations	Extensions
1	15 months	1	0	9	9
2	1 year	1	0	1	7
3	11 months	1	1	1	0
4	11 months	1	0	8	7
5	6 months	1	1	2	9
6	5 months	1	1	2	1

Junk Vehicles not tagged or towed	
Case	Length of Time
1	since 3/7/2016
2	9 months
3	16 months
4	5 months
5	4 months
6	4 months
7	5 months

Trash					
Case	Case length	NOVs	FNOVs	Citations	Extensions
1	70 days	1	1	0	0
2	42 days	1	1	1	0
3	35 days	1	0	0	3
4	29 days	1	1	1	0
5	22 Days	1	1	0	0
6	15 days	1	0	1	1

*Length of time as of report run date April 6, 2018.

Source: Code Compliance CRM

Inconsistencies in comparison to the flowchart:

Citation-related
▪ Two citations issued on the same day for the same violation.
▪ Issuing multiple citations on a case yet granting extensions.
▪ New owner issued a citation 20 days before compliance days exhausted.
▪ Issuing citations at the same time as the NOV.
▪ No FNOV but granted extension same day as citation.
▪ Issuing a citation for one violation but not one that had the same time frame on the same case.

FNOV-related
▪ FNOVs being issued after citations.
▪ FNOVs being issued with a citation and not before.
▪ New owner, yet issued a citation without first sending an FNOV
▪ FNOV issued after initial violation (months after: 1,2,5,6,7,12,14,15,16,17,19,24)
▪ FNOVs being issued before the compliance days were exhausted.
▪ Issuing a 2nd, 3rd, 4th, and sometimes 5th FNOV
▪ Issuing mulitple FNOVs before issuing a citation.
▪ Some cases utilize multiple FNOVs for extensions, whereas others grant extensions using the Update Compliance Date field.

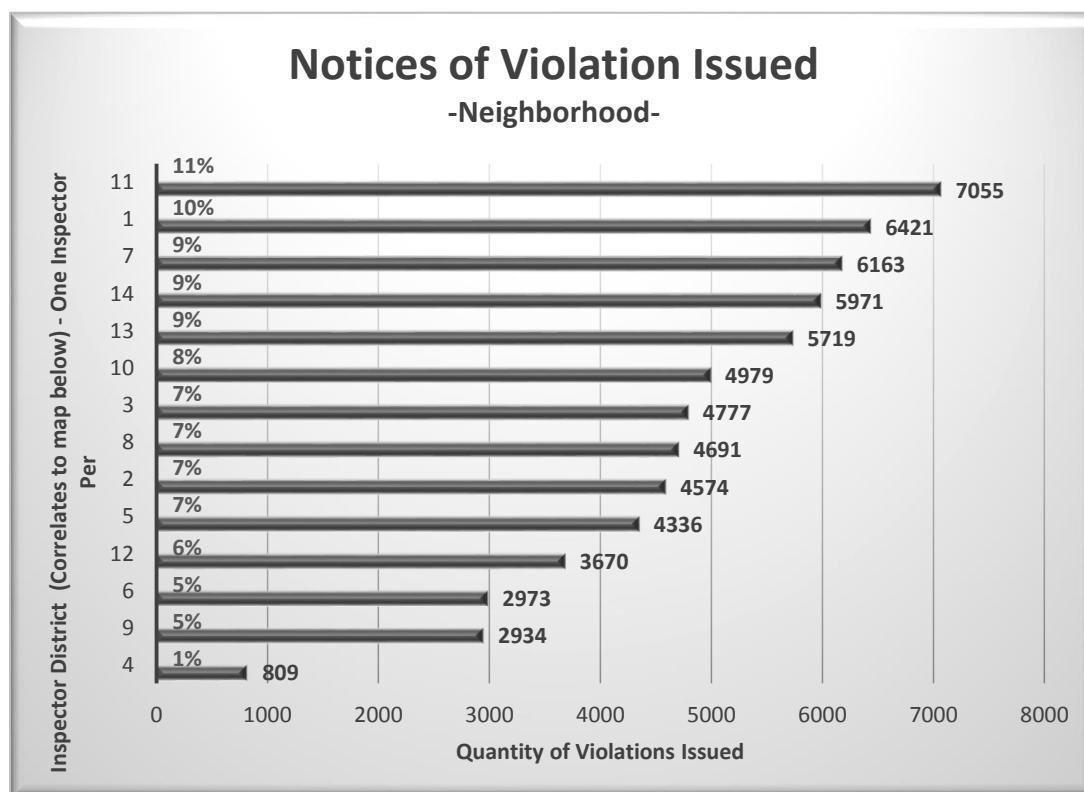| NOV-related |
|---|
| ▪ NOV being issued the same day the case is updated to Resident Complied. |
| ▪ NOV issued after 7 citations had already been issued. |
| ▪ NOV issued after citation and six years later after initial violation. |
| ▪ Violation was reconfirmed 5 months after initial violation. |
| ▪ Another NOV sent after 2 FNOVs and citation |

Source: Code Compliance CRM

Exhibit C – Lack of Monitoring Violations and Cases

While analyzing the consistency of cases, IA found that there were over 200 open violations that were initiated from October 1, 2016 through December 31, 2017, with an average of 82 days from the last action taken on the case, as of March 27, 2018. These same violations had also been open an average of 183 days *before* the last action was taken on the case.

IA also found 20 violations that were entered within the time frame of the scope that did not have a Last Action recorded. 15 of those were still in "open" status and were dated from December 2, 2016 through November 17, 2017. 1 violation was determined to be legitimate since it was voided, however, the remaining 4 violations were closed and should have had a final determination before closing. Code let IA know that there is a glitch in CRM that they were unaware of regarding these four cases but are currently rectifying.

Exhibit D – Violation Inconsistency among Inspectors and Districts

Notices of Violation Issued
-Neighborhood-

Inspector District (Correlates to map below) - One Inspector Per	%	Quantity
11	11%	7055
1	10%	6421
7	9%	6163
14	9%	5971
13	9%	5719
10	8%	4979
3	7%	4777
8	7%	4691
2	7%	4574
5	7%	4336
12	6%	3670
6	5%	2973
9	5%	2934
4	1%	809

Source: Code Compliance CRM

In the Neighborhood division, there was a 58% difference from lowest to highest violation count per inspector (2,934 to 7,055). The number of violations issued per inspector ranged from 5% to 11% of the total violations issued in the Neighborhood division (one inspector, inspector 4 in the graph above, was not included in the 5% to 11% range because the position start date was August 17, 2017, therefore, less than five months of data existed for the inspector).

Notices of Violation Issued

-Commercial-

Source: Code Compliance CRM

In the Commercial division, there was a 29.6% difference from lowest to highest violation count per inspector (1,770 to 2,385). The number of violations issued per inspector ranged from 43% to 57% of the total violations issued in the Commercial division.

Exhibit E – Reinspections not Timely

IA randomly selected five cases from each inspector (Exhibit A), 19 inspectors among Neighborhood, Commercial, and Multi-Family, for a total of 95 cases to take a comprehensive view of violations and the reinspections thereafter. Each violation was analyzed to determine the reinspection times, in days, after the compliance days were exhausted.

Average Days Late for Reinspection per Inspector

-Nuisance Violations-
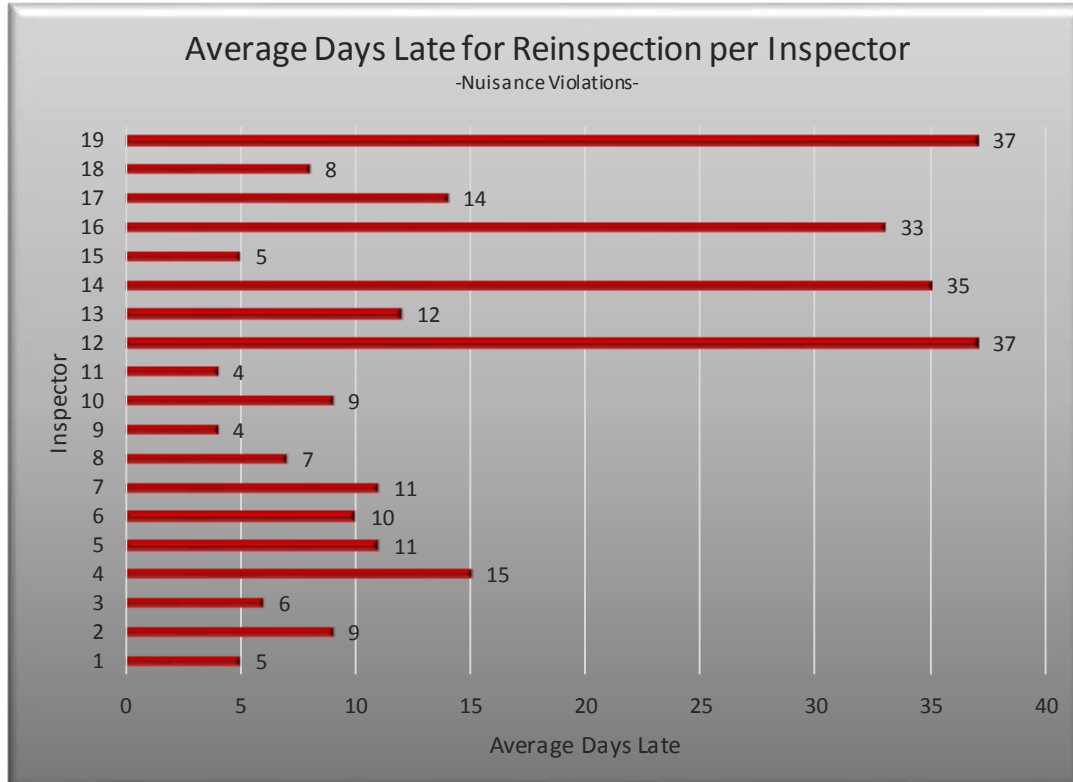
Source: Code Compliance CRM

- For the 95 sampled cases, there were 127 violations and 155 reinspections conducted.

- 138 of the 155 (89%) reinspections were late by an average of 14 days and ranged from 4 to 37 days late.

- 3 of the 15 violations that were early, however, resulted in a Final Notice of Violation being issued an average of 5 days too early and not allowing the resident the number of compliance days to comply.

Exhibit F – Public Education of Code Violations and Resources Available

According to City Data's 2016 data, 43.9% of Garland's population is Hispanic, 29.3% white, 14.7% black, 10.2% Asian, and 1.9% other. 29.1% of the residents are foreign born in comparison to 16.7% in Texas.[1]

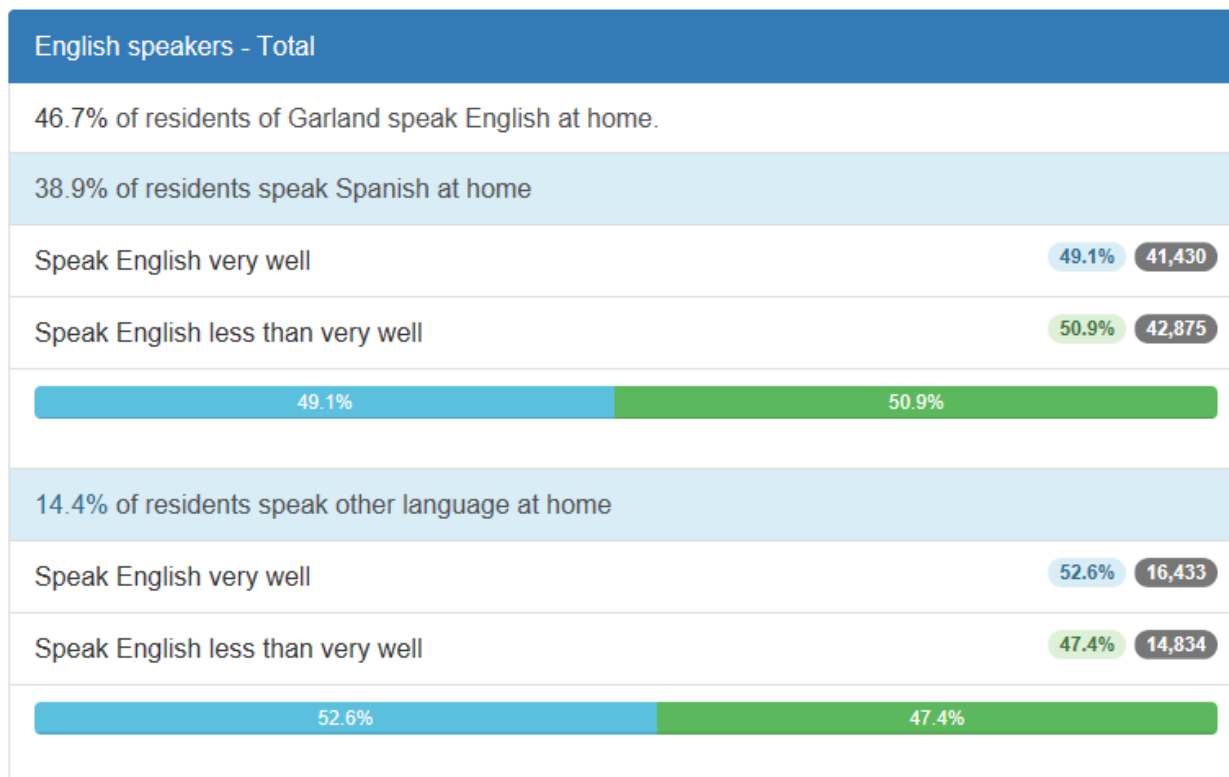All notices and other Code documents are currently sent to the residents in English only, however, according to City Data, 38.9% of residents speak Spanish at home and only 49.1% of those residents speak English very well.[1] 14.4% speak a different language at home, besides English or Spanish. Of those, only 52.6% speak English very well.[1] In addition, the notices also do not state that if the resident complies before the correct by date on the notice that the resident can contact the inspector to come back for a reinspection.

Language usage in Garland

English speakers - Total		
46.7% of residents of Garland speak English at home.		
38.9% of residents speak Spanish at home		
Speak English very well	49.1%	41,430
Speak English less than very well	50.9%	42,875
49.1%		50.9%
14.4% of residents speak other language at home		
Speak English very well	52.6%	16,433
Speak English less than very well	47.4%	14,834
52.6%		47.4%

Source: www.city-data.com, City of Garland, year 2016

The City of Garland's website has a few valuable tools and resources, such as eAssist, T.R.A.C., and the new MF video added in 2018 to educate the MF residents. However, it appears that many residents do not know what these resources are, how to find them, where to find them, or may not have access to them. For instance, 74% of all no code violations stemmed from complaints, presumably due to the lack of educating the residents. For example, not knowing what constitutes an actual violation (e.g. high grass 12" or greater).

Source Exhibit F: www.city-data.com

Exhibit G – Potential not Reached for Resource Allocation to the Public

The City of Garland's 2018 population, according to Garland's Planning and Community Development department's 2018 Annual Housing and Population Summary, was estimated at 238,293. Utilizing the same Annual Housing and Population Summary, the 2016 population was estimated at 235,885. The City of Garland's population as of 2016, per www.city-data.com, was 234,588, so IA considered this a reasonably close estimate. Furthermore, Esri's estimated 2018 population is 245,080.[3]

For the year 2016, the estimated median household income was $57,063, and the per capita income was $22,451.[1] Esri estimated 2018 median income lower at $54,599 but per capita income higher at $23,697.[3]

The median house or condo value was $136,700, which was $24,800 below the State of Texas.[1]

Approximately 82% of Garland's residential properties are greater than 30 years old, and approximately 74% of Garland's commercial properties are greater than 30 years old.[2]

Residential Properties			Commercial Properties		
Age in Years	Quantity	% Total	Age in Years	Quantity	% Total
<=10	1,379	2.19%	<=10	162	5.20%
>10 and <=20	4,616	7.33%	>10 and <=20	349	11.21%
>20 and <=30	5,187	8.24%	>20 and <=30	285	9.16%
>30 and <=40	14,488	23.01%	>30 and <=40	879	28.24%
>40 and <=50	19,783	31.42%	>40 and <=50	690	22.17%
>50 and <=60	9,429	14.97%	>50 and <=60	493	15.84%
>60 and <=70	7,332	11.64%	>60 and <=70	170	5.46%
>70 and <=80	680	1.08%	>70 and <=80	48	1.54%
>80 and <=90	45	0.07%	>80 and <=90	10	0.32%
>90 and <=100	14	0.02%	>90 and <=100	15	0.48%
>100	15	0.02%	>100	12	0.39%
	62,968	100.00%		3,113	100.00%

Source: DCAD from GIS department

Note: There were 1,376 residential properties and 1,595 commercial properties that did not have a year built assigned to them in DCAD, therefore, the numbers may be skewed.

Garland's house or condo value at $24,800 less than the State of Texas, coupled with the per capita income of $22,451-$23,697, it is likely some of the citizens do not have the means to fix their property.

According to the NCTCOG study, the results from those cities that participated in the study, which are considered to be in the same metroplex region as Garland, show that there tends to be more violations per thousand (1000) population (per capita) when there are lower property values and when the community's housing stock is older, as well as, fewer violations per capita where household incomes are higher.

City of Garland Property Values:
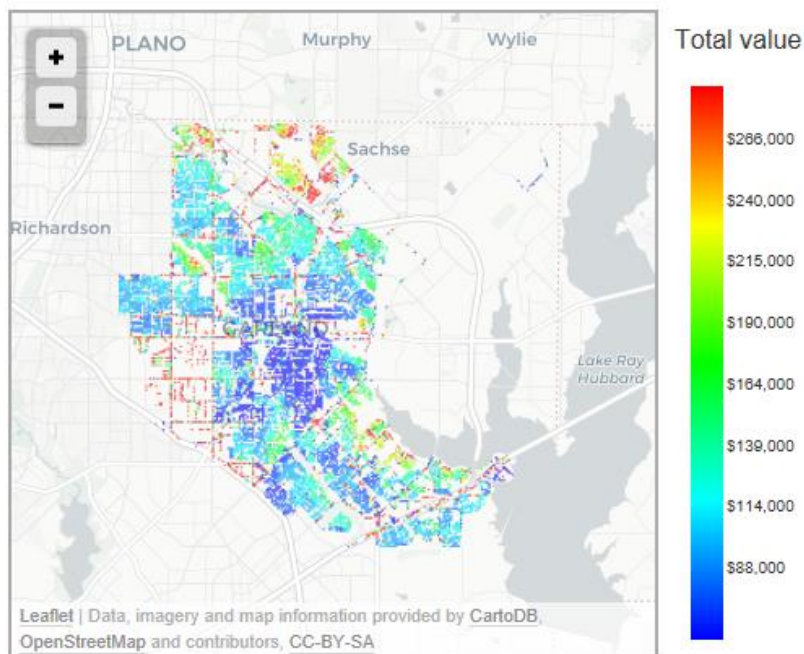
Source: www.city-data.com, City of Garland, year 2016

City of Garland Median Household Income:
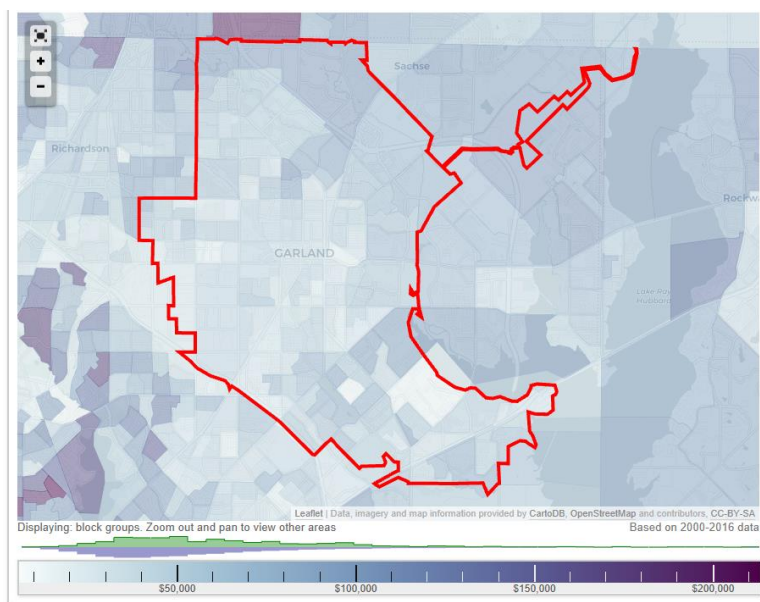
Source: www.city-data.com, City of Garland, year 2016

Aging of the Population:

Age	| Garland Estimated Population by Age					
	2010		2017 Forecast		2022 Forecast	
Age	Percent	% Age 65+	Percent	% Age 65+	Percent	% Age 65+
0-4	7.6%		7.2%		7.2%	
5-9	7.9%		7.2%		7.1%	
10-14	8.1%		7.3%		7.2%	
15-19	7.9%		7.0%		6.8%	
20-24	6.6%		7.2%		6.5%	
25-34	13.7%		15.0%		15.3%	
35-44	14.4%		13.0%		13.5%	
45-54	14.2%		12.8%		11.8%	
55-64	10.5%		11.6%		11.3%	
65-74	5.5%		7.5%		8.3%	
75-84	2.8%		3.2%		3.9%	
85+	1.0%	9.3%	1.2%	11.9%	1.2%	13.4%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2017 and 2022.
Note: This data is an estimate based on census tracts. Census tracts do not strictly align with city limits.

Sources Exhibit G:
1. www.city-data.com
2. Dallas Central Appraisal District (DCAD) from GIS department
3. Esri: All Esri data is based on census tracts that don't strictly align with city limits, therefore data may be skewed.

Exhibit H – Property Conditions Survey

Programs and policies can be tailored to the outcome of the survey and the issues that are revealed, and based on the results, Code can more efficiently align priorities and resources and track progress over time to make needed adjustments. One of the cities in the NCTCOG survey used a building conditions survey to rank neighborhoods for the purpose of focusing planning and Community Development Block Grant (CDBG) revitalization resources. Another city combined survey data with code enforcement history to shape selection of neighborhoods for infrastructure repairs. As noted in the survey, for code enforcement personnel, a conditions survey has the added benefit of articulating justifiable enforcement standards.

According to one of the cities IA surveyed, it was stated that the property conditions survey helped them to hone in on where there was the most need, and they were able to implement rehab programs based on this. It was stated that the rehab programs had really helped the inspectors to become liaisons in the neighborhoods to identify those in need. The programs help low to moderate income households, and they also have a coordinator that helps to coordinate those households with non-profit groups for assistance. Also stated was since the surveys, their complaints percentage has also significantly decreased to 4%, with 96% proactive inspections.

Property Condition Survey Criteria

	Ranking	Condition Description
Structure Condition	0	Adequate weather protection, no deterioration to roof, exterior surfaces, cornice, siding, windows or screens.
Use separately for	1	Slight deterioration of weather protection, roof, exterior surfaces, or cornice. A few broken or loose siding pieces. Some cracked glass or torn screens.
Main Structures	2	Inadequate weather protection (exposed or unpainted wood), greater than 25% of wall area needs paint. Some roofing is missing or loose. Some deterioration of eaves and cornice. Slight waves in roof line. One broken window and screen missing.
and Accessory	3	Obvious waves or dips in roof line. Eaves and cornice need replacing. Large amount of roofing missing. 25% of siding pieces missing or bare and decayed wood. Two or more broken windows and missing screens.
Structures	4	Dilapidated and/or uninhabitable

	Ranking	Condition Description
Yard Condition	0	Well manicured and landscaped lawn/yard.
Grass and Weeds	1	Keep grass cut only. Not edged and/or other areas need aesthetic attention.
	2	Grass and/or weeds 6" to 12" high or patches of bare ground.
	3	Grass and/or weeds over 12" high.

	Ranking	Condition Description
Sanitary Condition	0	No trash, litter, debris or other outside storage.
Litter and Debris	1	Scattered items of trash, litter or debris. Small amount of prohibited outside storage.
	2	Concentration or accumulation of trash, litter and debris. Large amount of prohibited outside storage.
	3	Greater than 33% of the yard covered in trash, litter, debris or other items

	Ranking	Condition Description
Junk Vehicles	0	No junk or inoperable vehicles at premises.
	1	One inoperable vehicle at premises.
	2	Two or more inoperable vehicles at premises.
	3	One junk or three or more junk or inoperable vehicles at premises.

	Ranking	Condition Description
Fence Condition	0	Fence maintained in good condition.
	1	Fence missing a few pickets or leaning slightly or deteriorated fence material
	2	Fence not reasonably plumb and/or missing several pickets major deterioration of fence material.
	3	Fence leaning to a point where it is dangerous or structural members no longer capable of supporting its

	Ranking	Condition Description
Driveways	0	Driveway in good condition.
	1	Slight spalling or minor dry shrinkage cracking. No structural displacement
	2	Slight structural displacement of less than 1 inch. Spalling on more than 25% of the area of the
	3	Major structural displacement of more than 1 inch. Portions of the pavement missing. Spalling on more

	Ranking	Condition Description
Other Flatwork	0	Sidewalks, patios, porches and other flatwork in good condition.
	1	Slight spalling or minor cracking. No structural displacement.
	2	Slight structural displacement of less than 1 inch. Spalling on more than 25% of the area of the
	3	Major structural displacement of more than 1 inch. Portions of the flatwork missing or heaved. Spalling on more than 50% of the area of the flatwork.

Source: North Central Texas Council of Governments (NCTCOG) 2005 Code Enforcement Benchmarking Analysis

Exhibit I – MF Reinspection Timeliness

The last table labeled 'Days from Initial Inspection to Most Recent Reinspection' shows an overall view of reinspections (initial to fifth), however, it is not indicative of compliance, as there were violations that may still be open.

Days from Initial Inspection to 1st Reinspection

24-Hour Compliance		72-Hour Compliance		30 Day Compliance	
Life Safety		Critical		Non-Critical	
0-24 hours	0	0-72 hours	20	0-30 days	46
3-5 days	24	5 days	4	31-60 days	460
6-30 days	3	6-30 days	6	61-90 days	179
31-60 days	61	31-60 days	65	91-180	302
61-90 days	2	61-90 days	41	181+	49
91-180	25	91-180	19		1,036
181+	1	181+	0		
	116		155		

Days from 1st Reinspection to 2nd Reinspection

24-Hour Compliance		72-Hour Compliance		30 Day Compliance	
Life Safety		Critical		Non-Critical	
0-24 hours	0	0-72 hours	0	0-30 days	195
3-5 days	0	5 days	0	31-60 days	618
6-30 days	18	6-30 days	14	61-90 days	8
31-60 days	70	31-60 days	68	91-180	9
61-90 days	2	61-90 days	4	181+	0
91-180	0	91-180	3		830
181+	0	181+	0		
	90		89		

Days from 2nd Reinspection to 3rd Reinspection

24-Hour Compliance		72-Hour Compliance		30 Day Compliance	
Life Safety		Critical		Non-Critical	
0-24 hours	0	0-72 hours	0	0-30 days	487
3-5 days	5	5 days	0	31-60 days	67
6-30 days	64	6-30 days	59	61-90 days	0
31-60 days	3	31-60 days	6	91-180	0
61-90 days	0	61-90 days	0	181+	18
91-180	10	91-180	4		572
181+	1	181+	2		
	83		71		

Days from 3rd Reinspection to 4th Reinspection

24-Hour Compliance		72-Hour Compliance		30 Day Compliance	
Life Safety		Critical		Non-Critical	
0-24 hours	0	0-72 hours	0	0-30 days	443
3-5 days	0	5 days	0	31-60 days	0
6-30 days	64	6-30 days	60	61-90 days	0
31-60 days	0	31-60 days	0	91-180	0
61-90 days	0	61-90 days	0	181+	0
91-180	0	91-180	0		443
181+	0	181+	0		
	64		60		

Days from 4th Reinspection to 5th Reinspection

24-Hour Compliance		72-Hour Compliance		30 Day Compliance	
Life Safety		Critical		Non-Critical	
0-24 hours	0	0-72 hours	0	0-30 days	376
3-5 days	0	5 days	0	31-60 days	0
6-30 days	0	6-30 days	54	61-90 days	0
31-60 days	0	31-60 days	0	91-180	0
61-90 days	0	61-90 days	0	181+	0
91-180	0	91-180	0		376
181+	0	181+	0		
	0		54		

Days from Initial Inspection to Most Recent Reinspection

24-Hour Compliance		72-Hour Compliance		30 Day Compliance	
Life Safety		Critical		Non-Critical	
0-24 hours	0	0-72 hours	14	0-30 days	0
3-5 days	7	5 days	0	31-60 days	28
6-30 days	0	6-30 days	0	61-90 days	137
31-60 days	0	31-60 days	7	91-180	600
61-90 days	7	61-90 days	47	181+	271
91-180	89	91-180	74		1,036
181+	13	181+	13		
	116		155		

Code of Ordinances Chapter 32, Article I, Division 1, Sec. 32.01:

(1) *Life safety violation*. A violation of the nuisance code, health code, Fire Code, or Building Code that represents an imminent threat of death or injury to persons on the premises of a single-family or multifamily dwelling.
(2) *Critical violation*. A minimum housing standard violation or a health code violation that is capable of causing or contributing to injury or illness of occupants.
(3) *Noncritical violation*. A minimum housing standard or minor health code violation that:
    (a) Represents defects, damage, or deterioration in or on a structure; or
    (b) Creates a decrease in general sanitation or hygiene.